

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Crl.MC.No. 1192 of 2015 ()

CC. NO.609/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PARAVOOR.
CRIME NO.1533/2011 OF PARAVOOR POLICE STATION, KOLLAM.

PETITIONERS/ACCUSED:

-
- 1. SHAW, S/O.SAHADEVAN,
AGED 38 YEARS, SHEENA MANDIRAM,
PUTHANKULAM, PARIPPALLY, KOLLAM.**
 - 2. USHA, W/O.SAHADEVAN,
AGED 69 YEARS, SHEENA MANDIRAM,
PUTHANKULAM, PARIPPALLY, KOLLAM.**
 - 3. SHINE, S/O.SAHADEVAN,
AGED 37 YEARS, SHEENA MANDIRAM,
PUTHANKULAM, PARIPPALLY, KOLLAM.**

BY ADV. SRI.JOSEPH SEBASTIAN (KOLLAM).

RESPONDENTS/DEFACTO COMPLAINANT & COMPLAINANT:

-
- 1. DEEPTHY, D/O.SHEELA, AGED 28 YEARS,
THAMPURU, POOTHAKULAM, KOLLAM -691 001.**
 - 2. STATE OF KERALA,
REP. BY SUB INSPECTOR OF POLICE,
PARAVOOR POLICE STATION, KOLLAM DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

R1 BY ADV. SRI.LIJU. M.P.

R2 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A:** CERTIFIED COPY OF FINAL REPORT IN CRIME NO.1533/11
OF PARVOOR POLICE STATION, KOLLAM.
- ANNEXURE B:** TRUE COPY OF THE COMPROMISE PETITION FILED IN
OP.1404/2011 ON THE FILE OF FAMILY COURT, KOLLAM.
- ANNEXURE C:** ORIGINAL AFFIDAVIT DATED 22.12.2014 EXECUTED BY THE
1ST RESPONDENT /DEFACTO COMPLAINANT.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

Crl.M.C. No.1192 of 2015

Dated this the 23rd day of June 2015

O R D E R

Petition filed under Sec.482 Cr.P.C.

2. The 1st petitioner and the 1st respondent are husband and wife. The other petitioners are his mother and brother. The petitioners are accused in C.C. No.609 of 2012 on the file of the Judicial First Class Magistrate Court, Paravoor. They are alleged to have subjected the 2nd respondent to cruelty, assaulted and threatened her and thus committed the offences under Secs.323, 498A and 506 read with Sec.34 of Indian Penal Code. It is submitted that the dispute between the parties has been settled. The request is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioners and for the 1st respondent and the learned Public Prosecutor.

4. The 1st respondent has filed an affidavit to the effect that the dispute has been settled and she has

no objection to the proceedings in the criminal case being quashed. I am satisfied that the allegation is true. No public interest is involved in this case. This is a fit case to invoke the jurisdiction of this Court under Sec.482 Cr.P.C. to quash the proceedings in the criminal case.

In the result, this Crl.M.C. is allowed. The proceedings in C.C. No.609 of 2012 on the file of the Judicial First Class Magistrate Court, Paravoor are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge