

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

Crl.MC.No. 1325 of 2015

**CP 17/2010 of JUDICIAL FIRST CLASS MAGISTRATE COURT, TIRUR
CRIME NO. 16/2009 OF KUTTIAPURAM POLICE STATION , MALAPPURAM**

PETITIONER(S)/ACCUSED:

**RENJITH, AGED 34 YEARS,
S/O.MANALIL KUNHIKUTAN, MANALIL HOUSE,
VALLIKUNNU P.O., KADALUNDI NAGARAM,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR**

RESPONDENT(S)/COMPLAINANT/STATE:

**1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
ADVOCATE GENERAL'S OFFICE, HIGH COURT OF KERALA.**

**2. BHAGEERATHY DEVI, AGED 26 YEARS,
W/O.RENJITH, MANALIL HOUSE, VALLIKUNNU P.O.
KADALUNDI NAGARAM, MALAPPURAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.T.K.VIPINDAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A: THE TRUE COPY OF THE COMPLAINT FILED BY THE 2ND
RESPONDENT BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE
COURT, TIRUR**

**ANNEXURE B: THE TRUE COPY OF THE FIR DATED 14/1/2009 IN CRIME
NO.16-2009 OF KUTTIPURAM POLICE STATION**

**ANNEXURE C: THE CERTIFIED COPY OF THE FINAL REPORT LAID BY THE POLICE
BEFORE THE HON'BLE JUDICIAL FIRST CLASS MAGISTRATE COURT,
TIRUR.**

**ANNEXURE D: THE TRUE COPY OF THE DEPOSITION OF THE 2ND
RESPONDENT HEREIN HAS PW3 IN CP NO.17/2010.**

**ANNEXURE E: THE ORIGINAL AFFIDAVIT EXECUTED BY THE DEFACTO
COMPLAINANT HEREIN**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

CRL.M.C.No.1325 OF 2015

Dated this the 29th day of May, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. The petitioner is the husband of the second respondent.

3. The case was registered on the allegations that prior of their marriage he had committed the rape on her. It is submitted that the matter has been settled. The prayer is for to quash the proceedings in CP.No.17/2010 (LP.No.27/2014)

4. Heard the learned counsel for the petitioner and for the second respondent and the learned Public Prosecutor.

5. The second respondent has filed an affidavit to the effect that the matter has been settled and she has no objection to the proceedings in the criminal case being quashed. Having regard to the special circumstances of the case I am inclined to grant the prayer of the petitioner as no public interest is involved.

In the result, this Crl.M.C is allowed and the

proceedings in CP.17/2010 which has been renumbered as LP.No.27/2014 are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge