

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

Crl.MC.No. 1450 of 2015

**CC 405/2005 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, OTTAPPALAM
CRIME NO. 17/2005 OF SREEKRISHNAPURAM POLICE STATION , PALAKKAD**

PETITIONER(S)/ACCUSED:

1. PRIYADARSHIN, S/O.RAMAKRISHNA GUPTHAN,
POTHIYEDATHU HOUSE, KADAMPAZHIPURAM, OTTAPALAM TALUK,
PALAKKAD DISTRICT.
2. RAMAKRISHNA GUPTHAN, S/O.PAZHANIMOOTHAN,
POTHIYEDATHU HOUSE, KADAMPAZHIPURAM, OTTAPALAM TALUK,
PALAKKAD DISTRICT.
3. AMMINI, W/O.RAMAKRISHNA GUPTHAN,
POTHIYEDATHU HOUSE KADAMPAZHIPURAM, OTTAPALAM TALUK,
PALAKKAD DISTRICT.
4. SONU, D/O.RAMAKRISHNA GUPTHAN,
POTHIYEDATHU HOUSE, KADAMPAZHIPURAM, OTTAPALAM TALUK,
PALAKKAD DISTRICT.
5. SIVASANKARAN, S/O.RAMAKRISHNA GUPTHAN,
POTHIYEDATHU HOUSE, KADAMPAZHIPURAM, OTTAPALAM TALUK,
PALAKKAD DISTRICT.

BY ADV. SRI.P.JAYARAM

RESPONDENT(S):

1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. JAYAPRABHA, D/O.LATE SANKARANKUTTY,
SANTHI BHAVAN, MUTHUKURUSSI, THACHAMPARA,
MANNARKKAD TALUK, PALAKKAD DISTRICT.

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

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 04-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

- ANNX.A1 - TRUE COPY OF THE CHARGE SHEET IN CRIME NO.17/2005
SREEKRISHNAPURAM POLICE STATION SUBMITTED BY POLICE
BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE OTTAPALAM.**
- ANNX.A2 - TRUE COPY OF O.P.NO.466/2014 ON THE FILES OF FAMILY COURT,
OTTAPALAM**
- ANNX.A3 - AFFIDAVIT DATED 25-2-2015 SWORN TO AND EXECUTED BY THE
DEPONENT/2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

Crl. M.C No. 1450 of 2015

Dated this the 4th day of June, 2015.

ORDER

Petition filed under Section 482 Cr.P.C.

2. The first petitioner is the husband of the second respondent and the other petitioners are his close relatives. The petitioners are the accused in C.C No.405 of 2005 on the file of the Judicial First Class Magistrate, Ottapalam. They are alleged to have subjected the second respondent to cruelty and thus committed the offences u/ss. 498 A r/w 34 of IPC. 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 the learned Public Prosecutor.

4. The second 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 Section 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.405 of 2005 on the file of the Judicial First Class Magistrate, Ottapalam are quashed.

Sd/-

K. ABRAHAM MATHEW

JUDGE

sab