

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

CrI.MC.No. 1536 of 2015 ()

**CC.NO. 1077/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, CHENGANNUR
CRIME NO. 939/2013 OF MANNAR POLICE STATION, ALAPPUZHA**

PETITIONER/ACCUSED 1 AND 2 :

- 1. SARAVANADAS, AGED 45 YEARS
S/O.SUBAYYA, SARAVANA BHAVAN, MUTTAMPADU
KUTTAMPEROOR, MANNAR, CHENGANNUR
ALAPPUZHA.**
- 2. BEENA, AGED 41 YEARS
W/O.SUDEVAN, MUTTAMPADU VEEDU, KUTTAMPEROOR
MANNAR, CHENGANNUR, ALAPPUZHA.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU S.**

RESPONDENTS/STATE AND CW1 :

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. USHA KUMARY,
AGED 40 YEARS, D/O.CHELLAMMA,
KOLACHIRAPUTHENPARAMBIL HOUSE,,
CHINGAVANAM P.O., NATTAKAM, KOTTAYAM - 686 009.**

**R1 BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH
R2 BY ADV. SRI.SERGI JOSEPH THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 1536 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A1: THE TRUE COPY OF THE CHARGE SHEET IN CC NO.1077/2014
ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT - I, CHENGANNUR.**

**ANNEXURE A2: AN AFFIDAVIT SWORN BY THE SECOND RESPONDENT
STATING THE SETTLEMENT OF ALL THE DISPUTES.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

Crl.M.C. No.1536 of 2015

Dated this the 25th day of June 2015

ORDER

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

2. The 1st petitioner and the 2nd respondent are husband and wife. The other petitioner is his close relative. The petitioners are the accused in C.C. No.1077 of 2014 on the file of the Judicial First Class Magistrate Court-I, Chengannur. They are alleged to have subjected the 2nd respondent to cruelty and assaulted her and thus committed the offences under Secs.498A and 323 read with Sec.34 of the 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 2nd respondent and the learned Public Prosecutor.

4. The 2nd 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.1077 of 2014 on the file of the Judicial First Class Magistrate Court-I, Chengannur are quashed.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge