

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

Crl.MC.No. 1588 of 2015 ()

CRIME NO. 1232/2014 OF KUTHUPARAMBA POLICE STATION, KANNUR DISTRICT

PETITIONERS/ACCUSED NOS. 1 TO 3 :

- 1. SANAL RAJ P., AGED 32 YEARS
S/O.RAJAN, KAILASAM, NEDUKKANDY (H)
KAITHACHAL, SANKARANELLOR, KUTHUPARAMBA
THALASSERI TALUK, KANNUR DISTRICT.**
- 2. VALSALA, AGED 55 YEARS
W/O.RAJAN, KAILASAM, NEDUKKANDY (H)
KAITHACHAL, SANKARANELLOOR, KUTHUPARAMBA
THALASSERI TALUK, KANNUR DISTRICT.**
- 3. KAUSU, AGED 75 YEARS
W/O.GOPALAN, KAILASAM, NEDUKKANDY (H)
KAITHACHAL, SANKARANELLOOR, KUTHUPARAMBA
THALASSERI TALUK, KANNUR DISTRICT.**

**BY ADVS.SRI.P.N.SUKUMARAN
SRI.K.A.ANAS**

RESPONDENTS/DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE S.I OF POLICE
KUTHUPARAMBA POLICE STATION
WHO IS REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. VARSHA VALSAN, AGED 25 YEARS
D/O.VALSAN, MARVEL, PAZHASSI
URUVACHAL P.O., MATTANNUR,
KANNUR DISTRICT – 670 702.**

**R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.D.CHANDRASENAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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Crl.MC.No. 1588 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE 1: TRUE COPY OF THE FIR REGISTERED AS CRIME NO.1232/2014
 OF KUTHUPARAMBA POLICE STATION.**

**ANNEXURE 2: TRUE COPY OF THE AGREEMENT EXECUTED BETWEEN THE
 1ST PETITIONER AND THE DE FACTO COMPLAINANT.**

**ANNEXURE 3: AFFIDAVIT SWORN BY THE 2ND RESPONDENT/DE FACTO
 COMPLAINANT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.
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Crl. M.C. No. 1588 of 2015
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Dated this the 3rd day of June, 2015

O R D E R

Petition filed under section 482 Cr.P.C.

2. The first petitioner and the second respondent are husband and wife. The other petitioners are his close relatives. The petitioners are accused in Crime No. 1232 of 2014 of Kuthuparamba Police Station. They are alleged to have subjected the second respondent to cruelty and thus committed the offence under section 498A 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 for the second respondent 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

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criminal case.

In the result, this Crl. M.C. is allowed. The proceedings in C.C. No. 3137 of 2014 on the file of the Judicial Magistrate of the First Class-II, Kollam are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge