

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

CrI.MC.No. 1804 of 2015 ()

CC.NO. 159/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KATTAKADA
CRIME NO. 669/2013 OF VILAPPILSALA POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED:

SREEJITH,
S/O. BHUVANRNDRAN NAIR, SREEJI VIHAR, VILAPPILSALA,
KARODE MURI, VILAPPILSALA, THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENT(S)/STATE & DE FACTO COMPLAINANT:

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- 1. STATE OF KERALA,**
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.PIN-682 031
 - 2. HARIPRIYA,**
D/O. JAYASREE, AGED 22 YEARS, NEAR JAYASREE BHAVAN,
CHATHINAR TEMPLE, NEYYATTINKARA, THIRUPURAM VILLAGE,
THIRUVANANTHAPURAM.PIN-695 001

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.S.K.VINOD

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

CRMC.NO.1804/2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEX A COPY OF THE FIR IN CRIME NO.669/2013 OF VILAPPILSALA POLICE STATION PENDING BEFORE THE JFMC, KATTAKADA.

**ANNEX B ATTESTED COPY OF THE FINAL REPORT IN CC.159/14 PENDING
BEFORE JFMC, KATTAKADA**

ANNEX C AFFIDAVIT SWORN IN BEFORE THE NOTRAY PUBLIC BY SECOND RESPONDENT.

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.1804 of 2015

Dated this the 2nd day of June 2015

O R D E R

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

2. The petitioner and the 2nd respondent are husband and wife. The petitioner is the accused in C.C. No.159 of 2014 on the file of the Judicial First Class Magistrate Court, Kattakada. He is alleged to have subjected the 2nd respondent to cruelty and thus committed the offences under Secs.498A 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 petitioner, 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.159 of 2014 on the file of the Judicial First Class Magistrate Court, Kattakada are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge