

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYASHTA, 1937

Crl.MC.No. 1822 of 2015 ()

CRIME NO. 636/2014 OF PAYYOLI POLICE STATION, KOZHIKODE DISTRICT.

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PETITIONERS/ACCUSED:

1. K.VENUGOPAL, AGED 40 YEARS,
S/O.BALAKRISHNA KURUP, KANNOTH HOUSE,
PALAYADU NADA P.O, IRINGAL VIA., VADAKARA.
2. K. NALINI, AGED 68 YEARS,
W/O.BALAKRISHNA KURUP, KANNOTH HOUSE,
PALAYADU NADA P.O, IRINGAL VIA., VADAKARA.
3. K. RAMANI, AGED 44 YEARS,
W/O.GIREESH, 30/23A, THIRUPUR KUMARAN ROAD,
VYSARBADI, CHENNAI -39.

BY ADVS.SRI.C.KHALID,
SRI.T.VMAMMOOTTY,
SRI.V.P.MAHAMMOOD,
SRI.N.A.JOSEPH,
SRI.K.P.MOHAMED SHAFI,
SMT.K.S.HASEENA,
SRI.PHIJO PRADEESH PHILIP,
SMT.K.REEHA KHADER,
SMT.K.K.NESNA.

RESPONDENTS/COMPLAINANT/STATE:

1. BIJISHA. K., AGED 30 YEARS,
D/O.GOVINDAN NAMBIAR,
PUTHUKUDI VEETIL, VADAKKARA -673 101.
2. SUB INSPECTOR OF POLICE,
PAYYOLI POLICE STATION,
THROUGH STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHIN- 682 031.

R1 BY ADV. SRI.P.K.SUBHASH.
R BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONERS' ANNEXURES:

- | | |
|-------------------|--|
| ANNEXURE 1 | THE COPY OF THE FIR IN CRIME NO.636/2014 OF PAYYOLI
POLICE STATION ON 01/10/2014. |
| ANNEXURE 2 | THE COPY OF THE AFFIDAVIT DATED 07/03/2015. |
| ANNEXURE 3 | THE COPY OF THE AGREEMENT ISSUED BY NOTARY
ON 31/01/2015. |

RESPONDENTS' ANNEXURES:

NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

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Crl. M.C. No. 1822 of 2015

Dated this the 15th day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. The petitioner and the first respondent are husband and wife. The other petitioners are his mother and a close relative. The petitioners are accused in Crime No.636 of Payyoli Police Station. They are alleged to have subjected her to cruelty and misappropriated her properties and thus committed the offences under sections 498A and 406 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 for the first respondent and the learned Public Prosecutor.

4. The first 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

Crl. M.C. No. 1822 of 2015

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criminal case.

In the result, this Crl. M.C. is allowed. The proceedings in Crime No.636 of Payyoli Police Station are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge