

**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**

**Crl.MC.No.1835 of 2015**

**CC NO.813/2004 of JUDICIAL FIRST CLASS MAGISTRATE COURT-II,  
NEYYATTINKARA.  
CRIME NO.162/2004 OF VIZHINJAM POLICE STATION,THIRUVANANTHAPURAM.**

**PETITIONER'S/ACCUSED NOS.1 TO 4:**

- 1. SAROKUMAR @ SURENDRAN,S/O.SUDHAKARAN  
AGED 49 YEARS,RESIDING AT CHOWARAMANGALAM VILASOM VEEDU,  
KOTTAKKAL DESOM,KOTTAKKAL VILLAGE,THIRUVANANTHAPURAM (A1)**
- 2. SAROJINI,D/O.CHELLAMMA,AGED 80 YEARS,  
RESIDING AT CHOWARAMANGALAM VILASOM VEEDU,  
KOTTAKKAL DESOM,KOTTAKKAL VILLAGE,THIRUVANANTHAPURAM. (A2)**
- 3. SUDHAKUMAR @ APPU,S/O.SUDHAKARAN,AGED 55 YEARS,  
RESIDING AT CHOWARAMANGALAM VILASOM VEEDU,  
KOTTAKKAL DESOM,KOTTAKKAL VILLAGE,THIRUVANANTHAPURAM. (A3)**
- 4. A.K.MEENAKUMARI,D/O.KAMALAKSHI,AGED 45 YEARS,  
RESIDING AT SUDHAKAR NIVAS,  
CHOWARAMANGALAM VILASOM VEEDU,  
KOTTAKKAL DESOM,KOTTAKKAL VILLAGE,  
THIRUVANANTHAPURAM. (A4)**

**BY ADVS.SRI.SASTHAMANGALAM S. AJITHKUMAR  
SRI.V.S.THOSHIN**

**RESPONDENT'S/DEFACTO COMPLAINANT:**

- 1. HADASSA,D/O.LEELA,AGED 36 YEARS,  
RESIDING AT SHALEM NIVAS,KUNNUVILA,THOZHUKKAL,  
PERUMPAZHUTHOOR VILLAGE,NEYYATTINKARA TALUK,  
THIRUVANANTHAPURAM-695001.**
- 2. THE STATE OF KERALA,REP. BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,ERNAKULAM,  
THROUGH THE SUB INSPECTOR OF POLICE,  
VIZHINJAM,THIRUVANANTHAPURAM-695001.**

**R1 BY ADV.SRI.T.K.BABU  
R2 BY PUBLIC PROSECUTOR SMT.REMA.R.**

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

**pk**

**CrI.MC.No.1835 of 2015**  
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**APPENDIX**

**PETITIONER'S ANNEXURES:**  
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**ANNEXURE A: CERTIFIED COPY OF THE FINAL REPORT IN C.C.NO.813/04  
PENDING IN THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE  
COURT II, NEYYATTINKARA, THIRUVANANTHAPURAM.**

**ANNEXURE B: NOTARIZED AFFIDAVIT OF THE 1ST RESPONDENT.**

**RESPONDENT'S ANNEXURES:**  
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**NIL**

**//TRUE COPY//**

**P.S. TO JUDGE**

**pk**

**K. ABRAHAM MATHEW, J.**

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**Crl.M.C. No.1835 of 2015**  
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**Dated this the 25<sup>th</sup> day of June 2015**

**ORDER**

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

2. The 1<sup>st</sup> petitioner and the 1<sup>st</sup> respondent are husband and wife. The other petitioners are his close relatives. The petitioners are the accused in C.C. No.813 of 2004 on the file of the Judicial First Class Magistrate Court-II, Neyyatinkara. They are alleged to have subjected the 1<sup>st</sup> respondent to cruelty and thus committed the offence under Sec.498A 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 1<sup>st</sup> respondent and the learned Public Prosecutor.

4. The 1<sup>st</sup> 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.813 of 2004 on the file of the Judicial First Class Magistrate Court-II, Neyyatinkara are quashed.

Sd/-  
**K.ABRAHAM MATHEW**  
**JUDGE**

/ True Copy /

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P.A. To Judge