

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

Crl.MC.No. 1946 of 2015

**C.C.NO.1453/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
WADAKKANCHERRY**

PETITIONER(S)/ACCUSED :

**ANIL NARAYANAN, AGED 34 YEARS,
S/O.NARAYANAN, PARAMBIL HOUSE, P.O.VELOOR,
THRISSUR.**

BY ADV. SRI.M.PREMCHAND

RESPONDENT(S)/STATE & COMPLAINANT :

- 1. REMYA S., AGED 27 YEARS,
D/O.SANKARANARAYANAN, OORAKATHODI HOUSE, P.O.KANAMBRA,
PALAKKAD DISTRICT - 678 686.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

R1 BY ADV. SRI.M.DINESH

R2 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A: TRUE COPY OF THE COMPLAINT FILED BY
THE 1ST RESPONDENT BEFORE THE JFCM COURT,
WADAKKANCHERRY.**

**ANNEXURE B: CERTIFIED COPY OF THE FINAL REPORT SUBMITTED BY
ERUMAPETTI POLICE BEFORE THE JFCM COURT,
WADAKKANCHERRY.**

ANNEXURE C: AFFIDAVIT SWORN IN BY THE 1ST RESPONDENT.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. ABRAHAM MATHEW, J.

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Crl.M.C.No. 1946 of 2015

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Dated this the 5th day of June, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. The first petitioner and the first respondent are husband and wife. The petitioner is the accused in C.C. No.1453 of 2013 on the file of the Judicial First Class Magistrate, Wadakkancherry. He is alleged to have subjected the first respondent 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 petitioner 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

criminal case.

In the result, this Crl. M.C. is allowed. The proceedings in C.C. No.1453 of 2013 on the file of the Judicial First Class Magistrate, Wadakkancherry are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge