

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. 2018 of 2015

CC 113/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, ERATTUPETTA.
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PETITIONER(S)/ACCUSED:

1. JOY JOSEPH AGED 44, S/O.JOSEPH,
KIZHAKKEKARA HOUSE, KEEZHAMPARA KARA,
THALAPPALAM, KOTTAYAM.
2. BABU JOSE, AGED 41, S/O.JOSEPH,
KIZHAKKEKARA HOUSE, KEEZHAMPARA KARA,
THALAPPALAM, KOTTAYAM.
3. ELIAMMA JOSEPH, AGED 74, W/O.JOSEPH,
KIZHAKKEKARA HOUSE, KEEZHAMPARA KARA,
THALAPPALAM, KOTTAYAM.
4. JESSY JOY, W/O.JOY, AGED 39,
KIZHAKKEKARA HOUSE, KEEZHAMPARA KARA,
THALAPPALAM, KOTTAYAM.
5. BINDHU, AGED 34, W/O.BABU,
KIZHAKKEKARA HOUSE, KEEZHAMPARA KARA,
THALAPPALAM, KOTTAYAM.
6. V.M.GEORGE, AGED 73, S/O.MATHAI,
VELLIYAMKULATHI HOUSE, CHENNATTU KARA,
CHENNADU.P.O., ERATTUPETTA, KOTTAYAM.
7. N.J.PIOUS, AGED 62, S/O.JOSEPH,
MANNARAKATHU HOUSE, CHENKARA,
IDUKKI, KUMALI VILLAGE.
8. M.K.PUSHKARAN, AGED 68, S/O.KARUNAKARAN,
MALIEKKAL HOUSE, THEKKEKARA, POONJAR.P.O.,
KOTTAYAM.

BY ADVS.SRI.V.RAJENDRAN (PERUMBAVOOR)
SRI.GEORGE VARGHESE KIZHAKKAMBALAM

Crl.MC.No. 2018 of 2015

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.
2. THE SUB INSPECTOR OF POLICE,
POLICE STATION, ERATTUPETTA - 686 121.
3. SMT.MARY JOSEPH, AGED 71, D/O.JOSEPH,
KIZHAKKAL HOUSE, CHITTANAPPARA BHAGOM,
THALAPPALAM, KOTTAYAM, PLASSANAL.P.O. - 686 579.

R1 & R3 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH
R3 BY ADV. SRI.P.RAVEENDRAN PILLAI

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

mbr/

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A1 : CERTIFIED COPY OF FINAL REPORT IN C.C.113/13
SUBMITTED BY THE 2ND RESPONDENT BEFORE JUDICIAL
FIRST CLASS MAGISTRATE COURT, ERATTUPETTA.

ANNEXURE A2 : ORIGINAL AFFIDAVIT SWORN TO BY THE 3RD RESPONDENT.

RESPONDENTS' ANNEXURS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

Crl.M.C. No.2018 of 2015

Dated this the 25th day of June 2015

O R D E R

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

2. Petitioners are accused in C.C. No.113 of 2013 on the file of the Judicial First Class Magistrate Court, Erattupetta. They are charged with having committed the offences under Secs.120B, 419, 465 and 471 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 3rd respondent and the learned Public Prosecutor.

4. The 3rd 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. The parties are close relatives. I am satisfied that the matter has been settled and 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.113 of 2013 on the file of the Judicial First Class Magistrate Court, Erattupetta are quashed.

Sd/-
K.ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge