

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. 2182 of 2015

**CC 1415/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOLLAM
CRIME NO. 766/2012 OF KILIKOLLOOR POLICE STATION , KOLLAM**

PETITIONER(S)/ACCUSED:

**SHANAVAS, AGED 31 YEARS,
S/O.ABDULKHADER, CHAVARIKKAL VEEDU,
KILIKOLLOOR VILLAGE, KALLUMTHAZHAM PO, KOLLAM,
REPRESENTED BY ITS POWER OF ATTORNEY HOLDER, USAIBA,
W/O.ABDUL KHADER, AGED 49 YEARS, CHAVARIKKAL VEEDU,
KILIKOLLOOR VILLAGE, KALLUMTHAZHAM, P.O.KOLLAM.**

BY ADV. SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENT(S)/DEFACTO COMPLAINANT/RESPONDENT:

- 1. JASMINE, AGED 26 YEARS,
D/O.NAZIR, FIROZ MANZIL, KATTOOR,
NEDUMPANA P.O., KOLLAM.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

R1 BY ADV. SRI.K.B.PRADEEP

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:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

- ANNEXURE A1: COPY OF THE POWER OF ATTORNEY DATED 20.11.2012**
- ANNEXURE A2: COPY OF THE ORDER IN OP.NO.1077/2012 DATED 10.02.2014
OF THE FAMILY COURT KOLLAM.**
- ANNEXURE A3: CERTIFIED COPY OF THE FIR IN CRIME NO.766/2012 OF
KILIKOLLOOR POLICE STATION**
- ANNEXURE A4: CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.766/2012
OF KILIKOLLOOR POLICE STATION**
- ANNEXURE A5: AFFIDAVIT SIGNED BY THE FIRST RESPONDENT DATED
01.11.2014**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

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Crl.M.C.No. 2182 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.1415 of 2012 on the file of the Judicial First Class Magistrate-II, Kollam. He is alleged to have subjected the first respondent to cruelty thus committed the offences under sections 498A 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

Crl.M.C.No. 2182 of 2015

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C.C. No.1415 of 2012 on the file of the Judicial First Class Magistrate-II, Kollam are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge