

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Crl.MC.No. 2247 of 2015 ()

CRIME NO. 477/2014 OF PARIYARAM MEDICAL COLLEGE POLICE STATION, KANNUR

PETITIONERS/ACCUSED :

- 1. KRISHNA RAJ S.A.,
S/O.P.T.KRISHNAN, 'UPASANA',
KADANNAPPALLY, KANNUR DISTRICT.**
- 2. P.T. KRISHNAN
AGED 64 YEARS, PERIYADAN THAZHEVEEDU,
'UPASANA', KADANNAPPALLY
KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENTS/DEFACTO COMPLAINANT/STATE :

- 1. ATHIRA O.P.,
AGED 25 YEARS, D/O.UNNIKRISHNAN T.P., 'ATHIRA'
NADUVIL P.O., PRESENTLY RESIDING AT EDAKEPURAM HOUSE
KUTTIYERI MAVICHERY, TALIPARAMBA
KANNUR DISTRICT-670 001.**

- 2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031**

**R1 BY ADV. SRI.S.R.SREEJITH
R2 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 07-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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APPENDIX

PETITIONERS' ANNEXURES :

- ANNEXURE AI - TRUE COPY OF THE FIR IN CRIME NO.477/2014 OF PARIYARAM MEDICAL COLLEGE POLICE STATION, KANNUR DISTRICT.**
- ANNEXURE AII - TRUE COPY OF THE COMPLAINT IN CMP NO.4378/2014 FILED BY THE 1ST RESPONDENT BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE, PAYYANNUR.**
- ANNEXURE AIII - TRUE COPY OF THE REPORT FILED BY THE INVESTIGATING OFFICER.**
- ANNEXURE AIV - TRUE COPY OF THE MEDIATION AGREEMENT IN M.C.NO.270/2014 BEFORE THE FAMILY COURT, KANNUR.**
- ANNEXURE AV - TRUE COPY OF THE AFFIDAVIT OF THE 1ST RESPONDENT ENDORSING THE FACTUM OF COMPOUNDING OF THE OFFENCES AND THE SETTLEMENT OF THE DISPUTES.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.
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Dated this the 7th day of July, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. The first petitioner and the first respondent are husband and wife. The other petitioner is his father. The petitioners are accused in Crime No.477 of 2014 of Pariyaram Medical College Police Station. They are alleged to have subjected the first respondent to cruelty and thus committed the offences under Section 498A 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

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criminal case.

In the result, this Crl. M.C. is allowed. The proceedings in Crime No.477 of 2014 of Pariyaram Medical College Police Station are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge