

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Crl.MC.No. 2322 of 2015 ()

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CC. NO.1144/2013 OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT,
ERNAKULAM.**

CRIME NO. 2469/2012 OF THRIpunithura Hill Palace Police Station.

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PETITIONER/ACCUSED NO 1 & 2:

- 1. SHIJU, S/O.LATE LAKSHMANAN,
AGED 34 YEARS, PERREKKAD CHENGADIPARAMBU,
EROOR WEST P.O, CHAMBAKKARA, THRIpunithura,
ERNAKULAM DISTRICT.**
- 2. SHAKUNTHALA LAKSHMANAN, W/O. LATE LAKSHMANAN,
AGED 60 YEARS, PERREKKAD CHENGADIPARAMBU,
EROOR WEST P.O, CHAMBAKKARA, THRIpunithura,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.M.J.PAVU,
SMT.M.A.SULFIA.**

RESPONDENTS/DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. RATHIKA SHIJU, W/O.SHIJU, AGED 29 YEARS,
KANDATHIL NIKARTH, PANAVALLY P.O.,
CHERTHALA, ALAPPUZHA DISTRICT,
PRESENTLY RESIDING AT VETTIKKAPPILLI,
NEAR 1008 JN., VADUTHALA JETTY P.O, AROOKUTTY,
CHERTHALA TALUK, ALAPPUZHA DISTRICT.**

R1 BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A1 TRUE COPY OF THE FINAL REPORT/CHARGE SHEET IN
CRIME NO. 2469/2012 OF HILL PALACE POLICE STATION.**

**ANNEXURE A2 THE TRUE COPY OF THE AFFIDAVIT FILED BY
2ND RESPONDENT.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

CRL.M.C.No.2322 of 2015

Dated this the 26th day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. The petitioner and the second respondent are husband and wife. The other petitioner is his mother. The petitioners are the accused in CC.No.1144/201 on the file of the Chief Judicial Magistrate Court, Ernakulam. They are alleged to have subjected the second respondent to cruelty and thus committed the offences under Sections 498A of 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 second respondent and the learned Public Prosecutor.

4. The second 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 CC.No.1144/201 on the file of the Chief Judicial Magistrate Court, Ernakulam are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge