

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. 2332 of 2015 ()

**CC.NO. 7869/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,IRINJALAKUDA
CRIME NO. 771/2012 OF KATTOOR POLICE STATION,THRISSUR DISTRICT**

PETITIONER/ACCUSED :

**V.A.SANOJ, AGED 35 YEARS,S/O.AANDI,
VALIYAVEETIL HOUSE, MAZHUVANCHERY THURUTH,
PADIYOO DESOM, PADIYOO VILLAGE,
MUKUNDAPURAM TALUK.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO**

RESPONDENT(S)/STATE OF KERALA AND THE COMPLAINANT:

- 1. THE STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
KATTOOR POLICE STATION THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.**
- 2. PRIYA, AGED 28 YEARS,
D/O.SUBRAMANYAN, KALADIPARAMBIL HOUSE, CHAPPARA DESOM,
PULLUTT VILLAGE, KODUNGALLOOR TALUK -680 001.**

**R1 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH
R2 BY ADV. SRI.K.ASHIS**

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

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APPENDIX

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ANNEX-I: A TRUE COPY OF THE F.I.R IN CRIME NO.771 OF 2012 DATED 8.10.2012 OF THE KATTOOR POLICE STATION.

ANNEX-II: A TRUE COPY OF THE FINAL REPORT IN CRIME NO.771 OF 2012 OF THE KATTOOR POLICE STATION DATED 6.11.2012

**ANNEX-III: A TRUE COPY OF THE JOINT PETITION FILED IN OP NO.305 OF 2013
BEFORE THE FAMILY COURT, IRINJALAKUDA DATED 29.4.2013**

**ANNEX-IV: A TRUE COPY OF ORDER IN OP NO.305 OF 2013 DATED 5.11.2013
BEFORE THE FAMILY COURT, IRINJALAKUDA**

ANNEX-V: AN AFFIDAVIT FILED BY THE 2ND RESPONDENT DATED 2.4.2015 REGARDING SETTLEMENT

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.2332 of 2015

Dated this the 25th day of June 2015

ORDER

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

2. The petitioner and the 2nd respondent are husband and wife. The petitioner is accused in C.C. No.7869 of 2012 on the file of the Judicial First Class Magistrate Court, Irinjalakuda. He is alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec.498A 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 petitioner and for the 2nd respondent and the learned Public Prosecutor.

4. The 2nd 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 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.7869 of 2012 on the file of the Judicial First Class Magistrate Court, Irinjalakuda are quashed.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge