

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937**

**Crl.MC.No. 2476 of 2015**  
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**CC 572/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MUVATUPUZHA.  
CRIME NO. 670/2013 OF MUVATTUPUZHA POLICE STATION.**  
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**PETITIONER(S)/ACCUSED 1-3:**  
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- 1. VARGHESE, S/O.YOHANNAN, AGED 33 YEARS,  
CHEMMIKKATTU HOUSE, EAST MARADI POST,  
MUVATTUPUZHA-686673.**
- 2. YOHANNAN, CHEMMIKKATTU HOUSE,  
EAST MARADI POST, MUVATTUPUZHA-686673.**
- 3. MARIYAKUTTY, W/O.YOHANNAN,  
CHEMMIKKATTU HOUSE, EAST MARADI POST,  
MUVATTUPUZHA-686673.**

**BY ADVS.SRI.JAI GEORGE  
SMT.DAISY A.PHILIPOSE**

**RESPONDENT(S):**  
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- 1. STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. DEEPA MATHEW, D/O.MATHEW,  
MARUTHUMCHUVATTIL HOUSE,  
IRUMBAYAM KARA, VELLUR VILLAGE,  
VAIKOM TALUK, KOTTAYAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN  
R2 BY ADV. SRI.HARISH R. MENON**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 21-05-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**mbr/**

**APPENDIX**

**PETITIONER(S)' ANNEXURES:**  
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**ANNEXURE A:** COPY OF FIRST INFORMATION REPORT IN CRIME NO. 670/2013  
OF MUVATTUPUZHA POLICE STATION.

**ANNEXURE B:** A TRUE COPY OF THE FINAL REPORT IN CRRIME NO.670/2013  
OF MUVATTUPUZHA POLICE STATION, NOW PENDING AS  
CC 572/2013 ON THE FILES OF JUDICIAL FIRST CLASS  
MAGISTRATE COURT, MUVATTUPUZHA.

**ANNEXURE C:** A TRUE COPY OF THE OP.NO. 629/2014 ON THE FILES OF THE  
FAMILY COURT, MUVATTUPUZHA.

**ANNEXURE D:** TRUE COPY OF THE AFFIDAVIT SWORN IN BY  
2ND RESPONDENT DATED 4-2-2015.

**RESPONDENT(S)' ANNEXURES:** - NIL  
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/TRUE COPY/

P.S. TO JUDGE

mbr/

**K. ABRAHAM MATHEW, J.**

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**Crl. M.C. No.2476 of 2015**  
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**Dated this the 21<sup>st</sup> day of May, 2015**  
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**O R D E R**  
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Petitioners are accused in S.C. No.105 of 2015 on the file of the Additional Sessions Judge (for the trial of cases relating to atrocities and sexual violence against women and children) Ernakulam. They are charged with having committed the offences under Secs.312, 313, 323 and 498A of Indian Penal Code. The 1<sup>st</sup> petitioner is the husband of the 2<sup>nd</sup> respondent. The other petitioners are his parents. It is alleged that the petitioners assaulted the 2<sup>nd</sup> respondent, caused her to miscarry a child and subjected her to cruelty. It is submitted that the matter has been settled and the proceedings in the criminal case may be quashed.

2. Heard the learned counsel for the petitioners and the 2<sup>nd</sup> respondent and the learned Public Prosecutor.

3. The 2<sup>nd</sup> respondent has filed an affidavit to the effect that the dispute between her and the

petitioners has been settled and she has no objection to the proceedings in the criminal case being quashed. The proceedings pending in the family court also have been settled. I am satisfied that the allegations are true. No public interest is involved in this case. So I am inclined to grant the prayer.

In the result, this Criminal M.C. is allowed. The proceedings in S.C. No.105 of 2015 on the file of the the Additional Sessions Judge (for the trial of cases relating to atrocities and sexual violence against women and children) Ernakulam are quashed. If any material objects have been produced in this case, the learned Sessions Judge may pass appropriate orders for their disposal.

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

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P.A. To Judge