

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Crl.MC.No. 2837 of 2015 ()

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CC.NO. 955/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, SASTHAMCOTTAH
KOLLAM DISTRICT
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PETITIONER/ACCUSED:

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S.SREEJITH,
S/O.K.SASIDHARAN NAMBOOTHIRI, PIRAKKATTU MADOM,
KAKKAKUNNU.P.O, SOORANADU THEKKU, KOLLAM.**

**BY ADVS.SRI.S.SANTHOSH KUMAR
SMT.P.LISSY JOSE.**

RESPONDENTS/COMPLAINANT AND DEFACTO COMPLAINANT:

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- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
 - 2. S.GOPIKA HARI,
D/O.SATHYABHAMA, ONIKUTTI MADOM, VADAKKEVILA.P.O.,
MANAKKAD, KOLLAM-691 010.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SMT.RUBY P.PAULOSE**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

Crl.MC.No. 2837 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEX-A** **CERTIFIED COPY OF THE F.I.R.NO.31/2014 OF SOORANADU POLICE STATION ALONG WITH PRIVATE COMPLAINT FILED BY THE 2ND RESPONDENT**
- ANNEX-B** **CERTIFIED COPY OF THE FINAL REPORT IN C.C.955/2014 OF JUDICIAL 1ST CLASS MAGISTRATE COURT,SASTHAMKOTTAH**
- ANNEX-C** **TRUE COPY OF THE MEMORANDUM OF AGREEMENT DATED 29.9.2014 EXECUTED BEFORE DISTRICT MEDIATION CENTRE, KOLLAM**
- ANNEX-D** **TRUE COPY OF AFFIDAVIT DATED 27.4.2015 OF THE 2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

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Crl. M.C. No. 2837 of 2015

Dated this the 24th day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. The petitioner is the husband of the second respondent. He is the accused in C.C. No.955 of 2014 on the file of the Judicial First Class Magistrate, Sasthamcottah. He is alleged to have committed the offences under sections 294(b), 323, 498A of IPC. It is submitted that the matter has been settled. The prayer is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioner 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.

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In the result, this Crl. M.C. is allowed. The proceedings in C.C. No. 955 of 2014 on the file of the Judicial First Class Magistrate, Sasthamcottah are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge