

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

CrI.MC.No. 3128 of 2015 ()

**CC.NO. 1189/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT- I, OTTAPPALAM
CRIME NO. 489/2014 OF OTTAPALAM POLICE STATION , PALAKKAD DISTRICT**

PETITIONER(S)/ACCUSED:

1. **SUNILKUMAR, AGED 31 YEARS,
S/O.SULOCHANA AMMA.**
2. **SULOCHANA AMMA, AGED 56 YEARS,
W/O.LATE RAJAN NAIR.**
3. **SURESHKUMAR, AGED 36 YEARS,
S/O.LATE RAJAN NAIR.**
4. **SUBHA SURESHKUMAR, AGED 26 YEARS,
W/O.SURESHKUMAR, ALL RESIDING AT CHEERATH HOUSE,
PALAPPURAM POST, OTTAPALAM, PALAKKAD DISTRICT.**

BY ADV. SRI.R.SREEHARI

RESPONDENT(S)/COMPLAINANT AND STATE:

1. **SRUTHI K., AGED 23 YEARS,
S/O.HARIDASAN NAIR, 'SRUTHILAYAM', PALAPPURAM POST,
OTTAPALAM, PALAKKAD DISTRICT, PIN-679 103.**
2. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
THROUGH THE SUB INSPECTOR OF POLICE,
OTTAPALAM POLICE STATION, OTTAPALAM-679 101.**

R1 BY ADV. SRI.K.RAJESH SUKUMARAN

R2 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEX I :** CERTIFIED COPY OF THE COMPLAINT CMP 3151/2014 OF JFCM COURT, OTTAPALAM, FILED BY THE 1ST RESPONDENT.
- ANNEX II :** CERTIFIED COPY OF THE FIR IN CRIME 489/2014 OF OTTAPALAM POLICE STATION.
- ANNEX III :** CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.489/14 OF OTTAPALAM POLICE STATION, FILED BEFORE THE JFCM COURT, OTTAPALAM.
- ANNEX IV :** AFFIDAVIT OF THE FIRST RESPONDENT.

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

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Dated this the 1st day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. The first petitioner and the first respondent are husband and wife. The other petitioners are his mother and brother. The petitioners are accused in C.C. No. 1189 of 2014 on the file of the Judicial First Class Magistrate, Ottapalam. They are alleged to have subjected her to cruelty and thus committed the offence under section 498A of 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 C.C. No. 1189 of the 2014 on the file of the Judicial First Class Magistrate, Ottapalam are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

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//True Copy//

P.A. To Judge