

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

Crl.MC.No. 3139 of 2015 ()

CRIME NO. 2119/2014 OF KOLLAM EAST POLICE STATION, KOLLAM DISTRICT

PETITIONERS/ACCUSED :

1. BIJU,
S/O. RAJENDRAN PILLAI, AGED 35, RESIDING AT MANGARATH HOUSE
THAMARAKKULAM WARD, KOLLAM EAST VILLAGE.
2. RAJENDRAN PILLAI
MANGARATH HOUSE, THAMARAKKULAM WARD
KOLLAM EAST VILLAGE.
3. VIJAYAKUMARI
MANGARATH HOUSE, THAMARAKKULAM WARD
KOLLAM EAST VILLAGE.

BY ADV. SRI. P.J. JUSTINE

RESPONDENTS/DEFACTO COMPLAINANT AND STATE :

1. SREELATHA
D/O. KOCHUKRISHNA PILLAI
CHARUVILA KIZHAKKETHIL HOUSE, KUREEPUZHA
KOLLAM WEST VILLAGE, KOLLAM-691 001.
2. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.

R1 BY ADV. SRI.K.R.ARUN

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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Crl.MC.No. 3139 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE A1 : THE CERTIFIED COPY OF THE CRIMINAL COMPLAINT FILED BY
 THE 1ST RESPONDENT.**

**ANNEXURE A2 : FIR AGAINST THE PETITIONERS AS CRIME NO.2119/2014 OF
 KOLLAM EAST POLICE STATION.**

**ANNEXURE A3 : AFFIDAVIT OF THE 1ST RESPONDENT EXECUTED BEFORE A
 NOTARY.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

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Crl. M.C. No. 3139 of 2015

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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 parents. The petitioners are accused in Crime No. 2119 of the 2014 of Kollam East Police Station. They are alleged to have subjected her to cruelty and uttered obscene words and thus committed the offences under section 498A and 294(b) 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 Crime No. 2119 of the 2014 of Kollam East Police Station are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge