

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. 3164 of 2015

**CC 343/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KANJIRAPPALLY
CRIME NO. 269/2013 OF MUNDAKAYAM POLICE STATION , KOTTAYAM**

PETITIONERS/ACCUSED NOS. 1 TO 3:

1. LINCY MARY SEBASTIAN, AGED 30 YEARS,
W/O. AUGUSTINE @ UNNI, KANDATHIL HOUSE, NEAR ICICI BANK,
ARUVITHURA KARA, ERATTUPETTA VILLAGE.
2. ELISABATH, AGED 72 YEARS,
D/O. KURIAN, KADALIKKAD HOUSE, MUKULAM THAZHA BHAGOM,
KOKKAYAR VILLAGE.
3. SISSILY, AGED 55 YEARS,
D/O. KURIAN, KADALIKKAD, MUKULAM THAZHA BHAGOM,
KOKKAYAR VILLAGE.

**BY ADVS.SRI.LIJI.J.VADAKEDOM
SMT.REXY ELIZABETH THOMAS
SRI.RAJEEV JYOTHISH GEORGE**

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSEUCTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
2. MERLIN, AGED 36 YEARS,
W/O BENNY, KADALIKKATU VEEDU, ELAMKADU BHAGOM,
ENTHAYAR KARA, KOOTTICKAL VILLAGE-686507.

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORA
R2 BY ADV. SRI.D.KISHORE**

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

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE 1: THE CERTIFIED COPY OF THE FINAL REPORT ALONG WITH THE
PHOTOCOPY OF THE FIR IN CRIME NO.269/13 OF MUNDAKAYAM
POLICE STATION.**

**ANNEXURE 2: THE CERTIFIED COPY OF THE ORDER DATED 27.9.2014 IN
M.C.NO.50/2013 BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, KANJIRAPPALLY ALONG WITH THE COMPROMISE PETITION.**

**ANNEXURE 3: THE CERTIFIED COPY OF THE JUDGMENT DATED 31.3.2015 IN
C.C.NO.1370/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
KANJIRAPPALLY.**

**ANNEXURE 4: THE AFFIDAVIT DATED 12.4.2015 SWORN IN BY THE 2ND
RESPONDENT/DEFACTO COMPLAINANT.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

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 is the sister-in-law of the second respondent. The other petitioners are sisters of the second respondent's father-in-law. The petitioners are accused in C.C. No. 343 of 2015 on the file of the Judicial First Class Magistrate-I, Kanjirappally. They are alleged to have subjected the second respondent to cruelty and another offence and thus committed the offences under section 498A of IPC and 119(B) of KP Act. 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 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. 343 of 2015 on the file of the Judicial First Class Magistrate-I, Kanjirappally are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge