

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Crl.MC.No. 3180 of 2015 ()

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CC.NO. 114/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PIRAVAM
CRIME NO. 163/2014 OF MULANTHURUTHY POLICE STATION, ERNAKULAM
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PETITIONERS/ACCUSED :

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- 1. EBYMON T.K. @ ABYMON, AGED 34 YEARS
S/O.LATE KUNJAPE T.K., THAVUMKERIYIL HOUSE
ARAYANKAVU, KULAYETTIKKARA P.O., KANAYANNUR TALUK
ERNAKULAM.**
 - 2. LISSY KUNJAPE
AGED 54 YEARS, W/O.LATE KUNJAPE T.K.,
THAVUMKERIYIL HOUSE, ARAYANKAVU, KULAYETTIKKARA P.O.,
KANAYANNUR TALUK, ERNAKULAM.**

BY ADV. SRI.DIPU JAMES

RESPONDENTS/STATE 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. SUB INSPECTOR OF POLICE
MULANTHURUTHY POLICE STATION
ERNAKULAM DISTRICT - 682 314.**
 - 3. MANJUMOL MATHEW
AGED 32 YEARS, D/O.MATHEW, KANJIRAMPARAYIL HOUSE
NJEZHOOR P.O., KOTTAYAM DISTRICT - 686 601.**
- R1 & R2 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN
R3 BY ADVS. SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 3180 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE A1 - A TRUE COPY OF THE FINAL REPORT SUBMITTED BY SUB
INSPECTOR OF POLICE, MULANTHURUTHY POLICE STATION IN
CRIME NO.163 OF 2014 PENDING BEFORE THE JUDICIAL FIRST
CLASS MAGISTRATE COURT, PIRAVAM, ERNAKULAM DISTRICT
AS CC NO.114 OF 2014.**

**ANNEXURE A2 - A TRUE COPY OF THE AFFIDAVIT SWORN BY THE 3RD
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3180 of 2015

Dated this the 2nd day of June 2015

O R D E R

Petition filed under Sec.482 Cr.P.C.

2. The 1st petitioner and the 3rd respondent are husband and wife. The other petitioner is his mother. The petitioners are accused in C.C. No.114 of 2014 on the file of the Judicial First Class Magistrate Court, Piravam. They are alleged to have subjected the 3rd respondent to cruelty and thus committed the offences under Secs.498A read with Sec.34 of Indian Penal Code. 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, the 3rd respondent and the learned Public Prosecutor.

4. The 3rd 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 cast to invoke the jurisdiction of this Court under Sec.482 Cr.P.C. to quash the proceedings in the criminal case.

In the result, this Crl.M.C. is allowed. The proceedings in C.C. No.114 of 2014 on the file of the Judicial First Class Magistrate Court, Piravam are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge