

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Crl.MC.No. 3221 of 2015 ()

**CC 283/2010 of JUDICIAL FIRST CLASS MAGISTRATE COURT - I, NORTH PARAVUR
CRIME NO. 869/2009 OF NORTH PARUR POLICE STATION, ERNAKULAM**

PETITIONER/ACCUSED 1 & 2 :

- 1. LIJI SAJI, AGED 31 YEARS,
W/O.SAJI, KURISHINGAL HOUSE, KEDAMANGALAM,
NORTH PARAVUR VILLAGE, ERNAKULAM DISTRICT-683513**
- 2. SAJI K.T., AGED 38 YEARS,
S/O.THOMAS, KURISHINGAL HOUSE, KEDAMANGALAM,
NORTH PARAVUR VILLAGE, ERNAKULAM DISTRICT-683513**

BY ADV. SRI.A.HAROON RASHEED

RESPONDENTS/COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
NORTH PARAVUR POLICE STATION, ERNAKULAM DISTRICT
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.**
- 2. SMT.KUNCHAMMA, AGED 66 YEARS,
W/O.THOMAS, KURISHINGAL HOUSE, KEDAMANGALAM,
NORTH PARAVUR VILLAGE, ERNAKULAM DISTRICT-683513.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.T.PRASAD**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A1 : THE CERTIFIED COPY OF FIR AND FIS IN CRIME NO.869/09 OF
NORTH PARAVUR POLICE STATION, DATED 9-6-2009.**

**ANNEXURE A2 : THE CERTIFIED COPY OF THE FINAL REPORT IN CC NO.283/10
OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, NORTH
PARAVUR.**

**ANNEXURE A3 : THE ORIGINAL COPY OF THE AFFIDAVIT EXECUTED BY THE
2ND RESPONDENT DATED 29-5-2015.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3221 of 2015

Dated this the 23rd day of June 2015

O R D E R

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

2. The petitioners are accused in C.C. No.283 of 2010 on the file of the Judicial First Class Magistrate Court-I, North Paravur. They are alleged to have committed the offences under Secs.294(b),323, 324 and 427 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 and for the 2nd respondent and the learned Public Prosecutor.

4. The 2nd 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 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.283 of 2010 on the file of the Judicial First Class Magistrate Court-I, North Paravur are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge