

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

CrI.MC.No. 3265 of 2015 ()

CC 153/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KAYAMKULAM

PETITIONER/ACCUSED 1 TO 4 :

1. SAJITH SADASIVAN, AGED 30 YEARS,
S/O. SADASIVAN, MANGALATHUY VEETIL,
ELAPPIKULAM MURI, VALLIKKUNNAM, ALAPPUZHA.
2. SADASIVAN, AGED 59 YEARS, S/O. DIVAKARAN, -DO-
3. MONY, AGED 30 YEARS, W/O. SADASIVAN, -DO-
4. SAJI, AGED 32 YEARS, S/O. SADASIVAN, -DO-

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT/COMPLAINANT :

1. STATE OF KERALA REP BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KEALA, ERNAKULAM
2. ARCHANA APPUKUTTAN, AGED 27 YEARS,
D/O. LATHA APPUKUTTAN, AKHILAM, ELIPPIKKULAM,
PALICKAL VIA, VALLIKKUNAM, ALAPPUZHA PIN - 688001.

**R1 BY PUBLIC PROSECUTORSMT. REMA R.
R2 BY ADV. SMT.T.M.BINITHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER'S ANNEXURES :

ANNEXURE 1: COPY OF THE FINAL REPORT.

ANNEXURE 2: AFFIDAVIT FILED BY THE R2.

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

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Dated this the 15th day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. The petitioner and the second respondent are husband and wife. The other petitioners are his parents and brother. The petitioners are accused in C.C. No.153 of 2015 on the file of the Judicial First Class Magistrate-I, Kayamkulam. They are alleged to have subjected the second respondent to cruelty assaulted and threatened and thus committed the offences under Sections 294(b), 323, 498A & 506 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 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

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under Section 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.153 of 2015 on the file of the Judicial First Class Magistrate-I, Kayamkulam are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge