

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

Crl.MC.No. 3270 of 2015

**CC 3067/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -II, KOLLAM.
CRIME NO. 922/2014 OF ERAVIPURAM POLICE STATION, KOLLAM.**

PETITIONER(S)/ACCUSED:

1. ANOOSH @ APPU, S/O.PRASANNA BABU,
AGED 30 YEARS, ATHAM VEEDU, SURABHI NAGAR 50,
AYATHIL CHERRY, VADAKKEVILA VILLAGE, KOLLAM.
2. PRASANNA BABU,S/O. VELAYUDHAN,
AGED 63 YEARS, ATHAM VEEDU, SURABHI NAGAR 50,
AYATHIL CHERRY, VADAKKEVILA VILLAGE, KOLLAM.
3. SUSGANDHI @ DALI, W/O.PRASANNA BABU,
AGED 51 YEARS, ATHAM VEEDU, SURABHI NAGAR 50,
AYATHIL CHERRY, VADAKKEVILA VILLAGE, KOLLAM.
4. ANEESHA DEVANAND, D/O.SUGANDHI
AGED 29 YEARS, THIRUVATHIRA VEEDU,
NEAR DECENT JUNCTION, VETTELATHAZHAM CHERRY,
THRIKKOVLVATTOM VILLAGE, KOLLAM DISTRICT.
5. AJAYAN, S/O.PRABHAKARAN, AGED 49 YEARS,
CHOTHI VEEDU, NEAR DECENT JUNCTION,
VETTELATHAZHAM CHERRY,
THRIKKOVLVATTOM VILLAGE, KOLLAM DISTRICT.

**BY ADVS.SRI.K.SIJU
SMT.NIMA JACOB**

RESPONDENT(S)/COMPLAINANT & STATE:

1. STATE OF KERALA,
THROUGH THE SUB INSPECTOR OF POLICE,
ERAVIPURAM POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF K ERALA, ERNAKULAM - 682 031.
2. SRUTHI @ AMMOOS, AGED 22 YEARS,
D/O.SUNIL KUMAR, PUTHOORAN VEEDU,
BHAVANA NAGAR 320A, KADAPPAKKADA, KOLLAM - 691 008.

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADVS. SRI.PRATHEESH.P
SRI.EBIN MATHEW**

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

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APPENDIX

PETITIONER'S ANNEXURES:

- ANNEXURE 1 :** THE COPY OF PRIVATE COMPLAINT IN C.M.P.NO.8640/2014 ON THE FILE OF JFMC-II, KOLLAM.
- ANNEXURE 2 :** THE FIR IN CRIME NO.922/2014 OF ERAVIPURAM POLICE STATION.
- ANNEXURE 3 :** THE COPY OF FINAL REPORT IN CRIME NO.922/2014 OF ERAVIPURAM POLICE STATION.
- ANNEXURE 4 :** THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT/DE-FACTO COMPLAINANT REGARDING COMPROMISE DATED 29.5.2015.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

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 relatives. The petitioners are accused in C.C. No.3067 of 2014 on the file of the Judicial First Class Magistrate-II, Kollam. They are alleged to have subjected the second respondent to cruelty thus committed the offences under Sections 498A 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 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 C.C. No.3067 of 2014 on the file of the Judicial First Class Magistrate-II, Kollam are quashed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

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P.A. To Judge