

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Crl.MC.No. 3302 of 2015 ()

CC.NO. 14/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, TRIPUNITHURA
CRIME NO. 626/2014 OF UDAYAMPEROOR POLICE STATION,ERNAKULAM DISTRICT

PETITIONERS/ACCUSED 1 & 2:

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- 1. SHAJI JACOB, AGED 40 YEARS,
S/O CHACKO @ JACOB, ELUVICHIRA HOUSE, SNRA-10,
UDAYAMPEROOR, MANAKUNNAM VILLAGE,
ERNAKULAM DISTRICT.**
 - 2. ALPHONSA @ LILLY @ MARY, AGED 65 YEARS,
W/O CHACKO, ELUVICHIRA HOUSE, SNRA-10,
UDAYAMPEROOR, MANAKUNNAM VILLAGE,
ERNAKULAM DISTRICT.**

BY ADV. SRI.P.SHAIJAN JOSEPH

RESPONDENTS/COMPLAINANT/STATE:

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- 1. INSPECTOR OF POLICE,
UDAYAMPEROOR POLICE STATION,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
 - 2. VIMAL MARY JOSE, AGED 33 YEARS,
D/O K.J. JOSEPH, KUNNUMALA VEEDU,
KURIANADU P.O., KOTTAYAM DISTRICT.**

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. DR.SEBASTIAN CHAMPAPPILLY

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

Crl.MC.No. 3302 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEX A1: TRUE COPY OF FINAL REPORT IN C.C.14/2014 OF HON'BLE JFCM COURT, TRIPUNITHURA.

ANNEX A2: AFFIDAVIT DATED 7.05.15 FILED BY THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3302 of 2015

Dated this the 12th day of June 2015

ORDER

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

2. The 1st petitioner and the 2nd respondent are husband and wife. The other petitioner is his mother. The petitioners are accused in C.C. No.14 of 2014 on the file of Judicial First Class Magistrate Court, Thripunithura. They are alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec.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 and for the 2nd respondent and the learned Public Prosecutor.

4. The 2nd respondent has filed an affidavit to the effect that the dispute between the parties 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.14 of 2014 on the file of Judicial First Class Magistrate Court, Thripunithura are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A To Judge