

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

Crl.MC.No. 3482 of 2015 ()

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CC. NO.590/2006 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
MUVATTUPUZHA.
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PETITIONERS/ACCUSED:

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- 1. VIJU, AGED 42 YEARS, S/O.KURIAKO,
MATTATHIL HOUSE, MONIPPILLY KARA,
THIRUVANIYOOR VILLAGE, PUTHENCROUZ P.O.,
ERNAKULAM DISTRICT.**
 - 2. MARY KURIAKO, AGED 70, W/O.KURIAKO,
MATTATHIL HOUSE, MONIPPILLY KARA,
THIRUVANIYOOR VILLAGE, PUTHENCROUZ P.O.,
ERNAKULAM DISTRICT.**
 - 3. CHERIAN ALIAS BABU, AGED 43, S/O.KURIAKO,
MATTATHIL HOUSE, MONIPPILLY KARA,
THIRUVANIYOOR VILLAGE, PUTHENCROUZ P.O.,
ERNAKULAM DISTRICT.**

BY ADV. SRI.T.KURIAKOSE PETER.

RESPONDENT/COMPLAINANT:

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- 1. SUB INSPECTOR OF POLICE,
PUTHENCROUZ POLICE STATION,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN-682 031.**
 - 2. SMITHA, AGED 36, W/O.VIJU,
MATTATHIL HOUSE, MONIPPILLY KARA,
THIRUVANIYOOR VILLAGE, PUTHENCROUZ P.O.,
ERNAKULAM DISTRICT-682 308.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.
R2 BY ADV. SRI.ISSAC NINAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONERS' ANNEXURES:

**ANNEXURE A1 CERTIFIED COPY OF THE CHARGE IN CC. NO.590/2006
ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, MUVATTUPUZHA.**

**ANNEXURE A2 AFFIDAVIT SIGNED BY THE 2ND RESPONDENT
DATED 08/06/2015.**

RESPONDENTS' ANNEXURES:

NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3482 of 2015

Dated this the 11th day of June 2015

O R D E R

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

2. The 1st petitioner is the husband of the 2nd respondent. The other petitioners are his mother and brother. The petitioners are the accused in C.C. No.590 of 2006 on the file of Judicial First Class Magistrate Court-I, Muvattupuzha. They are charged with having committed the offences under Secs.405, 406 and 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.590 of 2006 on the file of Judicial First Class Magistrate Court-I, Muvattupuzha are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A To Judge