

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Crl.MC.No. 3525 of 2015 ()

CC 938/2012 of JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOLLAM

PETITIONERS/ACCUSED 1 & 2 :

- 1. VIMAL SUGATHAN, AGED 32 YEARS,
S/O SUGATHAN, KRISHNAKRIPA , PARAKKUNNU P.O.
NAVAIKULAM, THIRUVANANTHAPURAM**
- 2. GEETHA SUGATHAN,
W/O SUGATHAN, KRISHNAKRIPA , PARAKKUNNU P.O.
NAVAIKULAM, THIRUVANANTHAPURAM**

BY ADV. SRI.M.R.SARIN

RESPONDENTS/STATE DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**
- 2. SINI SUNDARESAN, D/O SUNDARESAN,
KAVASHIKAM, MAYYANADU VILLAGE,
MAYYANAD P.O., KOLLAM**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.AJAYA KUMAR. G.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 3525 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE 1: CERTIFIED COPY FO THE FINAL REPORT IN CRIM NO 616/12 OF
ERAVIPURAM POLICE STATION KOLLAM.**

ANNEXURE 2: AFFIDAVIT SWORN BY THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3525 of 2015

Dated this the 22nd day of June 2015

O R D E R

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

2. The 1st petitioner is the brother in law of the 2nd respondent and the 2nd petitioner is his mother in law. The 2nd petitioner and the 3rd accused are parents in law of the 2nd respondent. The 3rd accused is no more. The petitioners are accused in C.C. No.938 of 2012 on the file of the Judicial First Class Magistrate Court-II, Kollam. The allegation is that they have committed the offences under Secs.420, 498A and 506(1) read with Sec.34 of Indian Penal Code. It is submitted that the matter 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.938 of 2012 on the file of the Judicial First Class Magistrate Court-II, Kollam are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge