

**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. 3554 of 2015**  
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**SC 453/2014 OF ADDITIONAL DISTRICT AND SESSIONS COURT (ATROCITIES AND  
SEXUAL VIOLENCE AGAINST WOMEN & CHILDREN, ERNAKULAM)  
CRIME NO. 716/2013 OF MATTANCHERRY POLICE STATION , ERNAKULAM**  
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**PETITIONER(S)/ACCUSED:**  
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**SANTHOSH KUMAR, AGED 50 YEARS,  
S/O.THANKAPPA PANICKER, RESIDING AT HOUSE NO.12/922,  
PANAYAPPALLY, THOPPUMPADY VILLAGE, KOCHI TALUK,  
ERNAKULAM DISTRICT.**

**BY ADV. SRI.T.MADHU**

**RESPONDENT(S)/STATE:**  
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- 1. STATE OF KERALA THROUGH THE STATION HOUSE OFFICER,  
MATTANCHERRY POLICE STATION, ERNAKULAM DISTRICT,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. SARIKA, W/O.RATHEESH, D/O.SIVAN, AGED 19 YEARS,  
HOUSE NO.12/929, KAILASAM, PANAYAPPALLY KARA,  
THOPPUMPADY VILLAGE, ERNAKULAM, DISTRICT,  
NOW RESIDING AT KANIYAMKUNNEL HOUSE,  
PIRAVAM VILLAGE, ERNAKULAM DISTRICT-686664.**
- 3. SARANYA, W/O.I.KANNAN, D/O.SIVAN, AGED 19 YEARS,  
KAILASAM, PANAYAPPALLY KARA,  
THOPPUMPADY VILLAGE, ERNAKULAM, DISTRICT,  
NOW RESIDING AT CHONALI PARAMBNU, KAPPALANDIMUKKU,  
RAMESWARAM VILLAGE, ERNAKULAM DISTRICT-686664.**
- 4. SIVAN, S/O.NARAYANAN, AGED 53 YEARS, HOUSE NO.12/929,  
KAILASAM, PANAYAPPALLY KARA,  
THOPPUMPADY VILLAGE, ERNAKULAM, DISTRICT-682005.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN  
R2-4 BY ADV. SMT.G.SANGEETHA**

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

**PJ**

**APPENDIX**

**PETITIONER(S)' ANNEXURES**

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**ANNEXURE A1 THE TRUE CERTIFIED COPY OF THE FINAL REPORT IN CRIME  
NO.716/2013 OF MATTANCHERY POLICE STATION**

**ANNEXURE A2 THE AFFIDAVIT DATED 19-05-2015 SWORN IN BY THE 2ND  
RESPONDENT**

**ANNEXURE A3 THE AFFIDAVIT DATED 19-05-2015 SWORN IN BY THE 3RD  
RESPONDENT**

**ANNEXURE A4 THE AFFIDAVIT DATED 19-05-2015 SWORN IN BY THE 4TH  
RESPONDENT**

**RESPONDENT(S)' ANNEXURES**

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**NIL.**

**/ TRUE COPY /**

**P.S. TO JUDGE**

**PJ**

**K. ABRAHAM MATHEW, J.**

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**Crl.M.C. No.3554 of 2015**  
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**Dated this the 15<sup>th</sup> day of June 2015**

**O R D E R**

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

2. Petitioner is the accused in S.C. No.453 of 2014 on the file of Sessions Court ( for trial of cases relating to Atrocities and Sexual Violence against Women and Children), Ernakulam. He is charged with having committed the offence under Sec.354B 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 petitioner and for the respondents 2 to 4 and the learned Public Prosecutor.

4. Respondents 2 to 4 have filed affidavits to the effect that the dispute between the parties has been settled and they have no objection to the proceedings in the criminal case being quashed. I have perused the affidavits. 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 S.C. No.453 of 2014 on the file of Sessions Court, Ernakulam are quashed.

Sd/-  
**K. ABRAHAM MATHEW**  
**JUDGE**

/ True Copy /

NS

P.A To Judge