

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. 3565 of 2015 ()

CC 1721/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT-II,HOSDRUG

PETITIONERS/ACCUSED :

- 1. PRASHANTH.B., AGED 32 YEARS,
S/O BALAN, RESIDING AT P.R.P. HOUSE, ACHERI
UDUMA VILLAGE, UDUMA P.O., KASARAGOD DISTRICT.**
- 2. BALAN, AGED 68 YEARS,
RESIDING AT P.R.P. HOUSE, ACHERI, UDUMA VILLAGE
UDUMA P.O., KASARAGOD DISTRICT.**
- 3. RAJEEVI, AGED 62 YEARS,
W/O BALAN, RESIDING AT P.R.P. HOUSE, ACHERI,
UDUMA VILLAGE, UDUMA P.O., KASARAGOD DISTRICT.**
- 4. REENA, AGED 23 YEARS,
W/O UPENDRAN AND D/O BALAN,
RESIDING AT P.R.P. HOUSE,
ACHERI, UDUMA VILLAGE, UDUMA P.O.,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.RAHUL SASI
SMT.NEETHU PREM**

RESPONDENTS/COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN:682031.**
- 2. ANEESHA K., AGED 23 YEARS,
W/O PRASANTH AND D/O KUMARAN
RESIDING AT PATTY NILAYAM, KEEZHUR, CHAGRAGIRI P.O.
KALANAD VILLAGE, KASARAGOD TALUK, KASARAGOD DISTRICT
PIN:675001.**

**R1 BY PUBLIC PROSECUTOR SMT. REMA R.
R2 BY ADV. SRI.NIRMAL V NAIR**

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

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- ANNEXURE A1:** **A TRUE COPY OF THE COMPLAINT IN CC NO.1721 OF 2013 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II.**
- ANNEXURE A2:** **A TRUE COPY OF THE CHARGESHEET IN C.C.NO.1721 OF 2013 ON FILES OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, HOSDURG.**
- ANNEXURE A3:** **A TRUE COPY OF THE AGREEMENT BETWEEN THE IST PETITIONER AND THE 2ND RESPONDENT DATED 9.4.2015.**
- ANNEXURE A4:** **A TRUE COPY OF THE ORDER IN M.C.150 OF 2013 OF JUDICIAL FIRST CLASS MAGISTRATE II, HOSDURG DATED 10.4.2015.**
- ANNEXURE A5:** **AFFIDAVIT DATED 9.4.2015 SUBMITTED BY 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3565 of 2015

Dated this the 15th 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 petitioners are his parents and sisters. The petitioners are accused in C.C. No.1721 of 2013 on the file of Judicial First Class Magistrate Court-II, Hosdurg. 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 petitioner 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.1721 of 2013 on the file of Judicial First Class Magistrate Court-II, Hosdurg are quashed.

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

NS

P.A To Judge