

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

Crl.MC.No. 3621 of 2015

**CC 2218/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-III, PUNALUR
CRIME NO. 947/2014 OF KUNNICODE POLICE STATION , KOLLAM**

PETITIONER(S)/ACCUSED 1 - 3:

1. VIMAL UNNITHAN, AGED 34 YEARS,
S/O. VENUGOPALAN UNNITHAN, LAKSHMI BHAVANAM VEEDU,
VADAKKEDATHUKAVU P.O., ADOOR TALUK,
PATHANAMTHITTA DISTRICT.
2. VENUGOPALA UNNITHAN, AGED 64 YEARS,
S/O. KERALA UNNITHAN, LAKSHMI BHAVANAM VEEDU,
VADAKKEDATHUKAVU P.O., ADOOR TALUK,
PATHANAMTHITTA DISTRICT.
3. SHALINI, AGED 61 YEARS,
D/O. JAGATHAMMA, LAKSHMI BHAVANAM VEEDU,
VADAKKEDATHUKAVU P.O., ADOOR TALUK,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. PARVATHY, AGED 27 YEARS,
D/O. USHAKUMARI, PALOOR PADINJATTINKARA VEEDU,
KOKKAD MURI, CHAKKUVARAKKAL VILLAGE,
KOTTARAKKARA TALUK.

**R2 BY ADV. SRI.TONY AUGUSTINE
R1 BY PUBLIC PROSECUTOR SMT.REMA. R.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 17-06-2015, ALONG WITH CRL.MC.NO.3621/2015 AND CONNECTED
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 3621 of 2015

APPENDIX

PETITIONERS' ANNEXURES

**ANNEXURE A: CERTIFIED COPY OF THE FINAL REPORT IN CC.2218/14 ON THE FILE
OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-III, PUNALUR.**

**ANNEXURE B: ORIGINAL OF THE AFFIDAVIT SWORN TO BY THE R2 BEFORE HER
ADVOCATE.**

RESPONDENTS' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3621 of 2015

Dated this the 17th day of June 2015

O R D E R

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

2. 1st petitioner is the husband of the 2nd respondent. The other petitioners are his parents. The petitioners are accused in C.C. No.2218 of 2014 on the file of the Judicial First Class Magistrate Court -III, Punalur. They are alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec.498A 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 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.2218 of 2014 on the file of the Judicial First Class Magistrate Court -III, Punalur are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge