

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. 3627 of 2015

**CC 935/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, VARKALA
CRIME NO. 150/2013 OF AIROOR POLICE STATION , THIRUVANANTHAPURAM**

PETITIONER(S)/ACCUSED A 1 TO 3:

1. **AJITH, AGED 32 YEARS,
S/O.SURENDRAN, ASWATHY BHAVANAM, THAZHUTHALA CHERRI
UMAYANALLOOR PERAYAM, THRIKKOVILAVATTOM VILLAGE,
KOLLAM DISTRICT.**
2. **SURENDRAN, AGED 67 YEARS,
S/O.DAMODARAN, ASWATHY BHAVANAM, THAZHUTHALA CHERRI,
UMAYANALLOOR PERAYAM, THRIKKOVILAVATTOM VILLAGE,
KOLLAM DISTRICT.**
3. **ASWATHY, D/O.SURENDRAN, AGED 34 YEARS
ASWATHY BHAVANAM, THAZHUTHALA CHERRI,
UMAYANALLOOR PERAYAM, THRIKKOVILAVATTOM VILLAGE,
KOLLAM DISTRICT.**

BY ADV. SRI.P.V.DILEEP

RESPONDENT(S)/COMPLAINANT:

1. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
2. **CHINCHU, AGED 26 YEARS, D/O.GANDHILAL,
POURNAMI, CHAVARKODE, PARIPPALLY PO,
AYIROOR DESOM, AYIROOR VILLAGE, VARKKALA
THIRUVANANTHAPURAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SMT.REMA. R.
R2 BY ADV. SRI.K.V.ANIL KUMAR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 17-06-2015, ALONG WITH CRL.MC.NO.3095/2015 AND CONNECTED
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 3627 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A- A TRUE COPY OF FINAL REPORT IN CRIME NO.150/2013 OF AYIROOR
POLICE STATION IN THIRUVANANTHAPURAM DISTRICT**

ANNEXURE B - NOTARIZED AFFIDAVIT FILED OF THE 2ND RESPONDENT

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3627 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 2nd petitioner is his father and the 3rd petitioner is his sister. The petitioners are accused in C.C. No.935 of 2013 on the file of the Judicial First Class Magistrate Court, Varkkala. They are alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec.498A and 324 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 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.935 of 2013 on the file of the Judicial First Class Magistrate Court, Varkkala are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge