

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. 3637 of 2015

CRIME NO. 4696/2014 OF ALUVA POLICE STATION, ERNAKULAM
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PETITIONER(S)/ACCUSED:

**BINOY A.B., AGED 29 YEARS,
S/O.BHASKARAN K.A., ALUNKAL HOUSE, THAIKKATTUKARA P.O.,
ALUVA, ERNAKULAM, KERALA-683 106.**

BY ADV. SMT.MEREENA JOSEPH

RESPONDENT(S)/STATE & DE-FACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
ON BEHALF OF SUB INSPECTOR OF POLICE,
ALUVA POLICE STATION.**
- 2. BINCY VARGHESE, AGED 19 YEARS,
D/O.VARGHESE K.P., KORATTUKUDY HOUSE, CUTTING,
EZHATTUMUGHAM P.O., ERNAKULAM, KERALA-683 577.**

**R1 BY PUBLIC PROSECUTOR SMT.REMA R.
BY ADV. SMT.K.V.HAZEL**

**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:**

msv/

Crl.MC.No. 3637 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A1 : CERTIFIED COPY OF THE F.I.R. IN CRIME NO.4696/2014 OF ALUVA
POLICE STATION.**

**ANNEXURE A2 : TRUE COPY OF THE MARRIAGE CERTIFICATE OF PETITIONER AND
2ND RESPONDENT (DE-FACTO COMPLAINANT) DATED 20-5-2015.**

ANNEXURE A3 : AFFIDAVIT SWORN BY THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3637 of 2015

Dated this the 17th day of June 2015

ORDER

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

2. Petitioner is accused in Crime No.4696 of 2014 of the Aluva Police station registered for the offence under Sec.376 of Indian Penal Code. It is submitted that the petitioner and the victim who is the 2nd respondent are now married and the 2nd respondent has no objection to the proceedings in the criminal case being quashed. The prayer 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 she and the petitioner are now married and she has no objection to the proceedings in the criminal case being quashed. Annexure A2 proves solemnization of marriage between the petitioner and the

2nd respondent. 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 Crime No.4696 of 2014 of the Aluva Police station are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge