

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. 3644 of 2015

**CC 247/2010 OF CHIEF JUDICIAL MAGISTRATE, ERNAKULAM
CRIME NO. 764/2010 OF KADAVANTHRA POLICE STATION , ERNAKULAM**
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PETITIONER(S)/ACCUSED:

**AUGUSTINE GEORGE, AGED 48 YEARS,
S/O.LATE A.J.GEORGE, ANAPARAMBIL HOUSE,
THALAYOLAPARAMBU, KOTTAYAM DISTRICT, PIN-686 605.**

**BY ADVS.SRI.MOHAN IDICULLA ABRAHAM
SRI.RACHEL JOSEPH
SMT.R.RAJASREE (CHUTTIMATTATHIL)
SMT.R.REMA MENON**

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY TRHE PUBLIC PROSECUTOR,
HIGH COURTR OF KERALA, ERNAKULAM, KOCHI,
PIN-682 031.**
- 2. REGI AUGUSTINE, AGED 43 YEARS,
W/O.AUGUSTINE GEORGE, APARTMENT NO.ID,
GOLDEN HEIGHTS APARTMENTS, ELAMKULAM, KADAVANTHRA P.O.,
KOCHI, PIN-682 020, ERNAKULAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH
R2 BY ADV. SRI.VARGHESE C.KURIAKOSE**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
17-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE-A1 TRUE COPY OF THE PRIVATE COMPLAINANT FILED BY THE
2ND RESPONDENT BEFORE THE CHIEF JUDICIAL MAGISTRATE'S
COURT, ERNAKULAM (MP.NO.2690/2010).**

**ANNEXURE-A2 TRUE COPY OF THE F.I.R.FILED BY THE KADAVANTHRA POLICE IN
CRIME NO.764/2010.**

**ANNEXURE-A3 TRUE COPY OF CHARGE SHEET IN C.C.247/2010 BEFORE THE CHIEF
JUDICIAL MAGISTRATE'S COURT, ERNAKULAM.**

**ANNEXURE-A4 TRUE COPY OF THE COMPROMISE PETITION JOINTLY FILED BY THE
PETITIONER AND THE 2ND RESPONDENT IN M.C.4/2010 BEFORE THE
CHIEF JUDICIAL MAGISTRATE'S COURT, ERNAKULAM.**

ANNEXURE-A5 AFFIDAVIT DATED 21/05/2015 SWORN BY THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. ABRAHAM MATHEW, J.

CRL.M.C.No.3644 of 2015

Dated this the 17th day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. Petitioner is the husband of the second respondent. He is the accused in CC.No.247/2010 on the file of the Chief Judicial Magistrate Court, Ernakulam. He is alleged to have committed the offences under Sections 294(b), 498A and 506 of Indian Penal Code. It is submitted that the dispute between the parties has been settled. The prayer is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioner and for the second respondent and the learned Public Prosecutor.

4. The second 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 Section 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.247/2010 on the file of the Chief Judicial Magistrate Court, Ernakulam are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge