

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Crl.MC.No. 3660 of 2015 ()

CC NO. 216/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, MAVELIKKARA

PETITIONERS/ACCUSD NOS. 1 TO 3 :

- 1. RAJESHKUMAR
S/O GANGADHARAN, MALAYIL VEEDU, KALLIKEL MURI
TAZHAKKARA VILLAGE, MAVELIKKARA, ALAPPUZHA DISTRICT.**
- 2. PANKAJAKSHIYAMMA
MALAYIL VEEDU, KALLIMEL MURI, TAZHAKKARA VILLAGE
MAVELIKKARA, ALAPPUZHA DISTRICT.**
- 3. MANOJ
S/O. GANGADHARAN, MALAYIL VEEDU, KALLIMEL MURI
TAZHAKKARA VILLAGE, MAVELIKKARA, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.B.PRAMOD
SRI.S.K.SAJI**

RESPONDENTS/DE FACTO COMPLAINANT & STATE :

- 1. SURYA PRABHA, AGED 29 YEARS
D/O. PRASANNAKUMAR, MAVELIKKALATHIL, MITHRAKKARI P.O.
MITHRAKKARI, KUTTANADU TALUK, ALAPPUZHA DISTRICT.**
- 2. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

**R1 BY ADV. SRI.P.SHANES METHAR
R2 BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 3660 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE I: CERTIFIED COPY OF THE CHARGE-SHEET IN CRIME
NO.526/2012 OF MAVELIKKARA POLICE STATION.**

ANNEXURE II: TRUE COPY OF THE AFFIDAVIT OF THE IST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

CRL.M.C.No.3660 of 2015

Dated this the 26th day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. The first petitioner and the first respondent are husband and wife. The other petitioners are his mother & brother. The petitioners are the accused in CC.No.216/2015 on the file of the Judicial First Class Magistrate Court-II, Mavelikkara. They are alleged to have subjected the first respondent to cruelty and thus committed the offences under Sections 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 first respondent and the learned Public Prosecutor.

4. The first 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 CC.No.216/2015 on the file of the Judicial First Class Magistrate Court-II, Mavelikkara. are quashed.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge