

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937**

**CrI.MC.No. 3693 of 2015 ()**

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**CC.NO. 37/2014 OF CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD**  
**CRIME NO. 1241/2013 OF TOWN NORTH POLICE STATION , PALAKKAD DISTRICT**  
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**PETITIONER(S)/ACCUSED NOS.1 & 2:**

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- 1. DILEEP PRASANTH, AGED 31 YEARS**  
**S/O.T.S.PRASANTH, PRASANTHAM, BILATHIKULAM,**  
**ERANJIPALAM, KOZHIKODE.**
  - 2. K.V.INDIRA, AGED 52 YEARS,**  
**W/O.T.S.PRASANTH, PRASANTHAM, BILATHIKULAM,**  
**ERANJIPALAM, KOZHIKODE.**

**BY ADV. SRI.NIREESH MATHEW**

**RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:**

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- 1. STATE OF KERALA,**  
**REPRESENTED BY PUBLIC PROSECUTOR,**  
**HIGH COURT OF KERALA, ERNAKULAM - 31.**
  - 2. RADHIKA, AGED 32 YEARS,**  
**D/O.SUBRAMANIAM, SREE LAKSHMI,**  
**AMBIKAPURAM.P.O.,PALAKKAD DISTRICT - 678 011.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION**  
**ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**sts**

**Crl.MC.No. 3693 of 2015 ()**  
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**APPENDIX**

**PETITIONER(S)' ANNEXURES:**  
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**ANNEX-A:      PHOTOCOPY OF THE FINAL REPORT IN C.C.NO.37/2014 ON THE FILE  
                    OF THE CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD.**

**ANNEX-B:      ORIGINAL OF THE AFFIDAVIT SWORN TO BY THE 2ND RESPONDENT  
                    BEFORE HER ADVOCATE AT PALAKKAD, DATED 12.6.2015.**

**RESPONDENT(S)' ANNEXURES:**  
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**NIL**

**/TRUE COPY/**

**P.A.TO JUDGE**

**sts**

**K. ABRAHAM MATHEW, J.**

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**CRL.M.C.No.3693 of 2015**  
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**Dated this the 23<sup>rd</sup> day of June, 2015**

**ORDER**

Petition filed under section 482 Cr.P.C.

2. The petitioner and the second respondent are husband and wife. The other petitioner is his mother. The petitioners are the accused in CC.No.37/2014 on the file of the Chief Judicial Magistrate Court, Palakkad. They are alleged to have subjected the second respondent to cruelty and uttered obscene words and thus committed the offences under Sections 498A, 294(b) 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 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.37/2014 on the file of the Chief Judicial Magistrate Court, Kattakkad are quashed.

sd/-

**K. ABRAHAM MATHEW**  
**JUDGE**

R.AV

//True Copy//

PA to Judge