

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Crl.MC.No. 3701 of 2015

**CC 345/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - II,
KOTHAMANGALAM, ERNAKULAM DISTRICT.**
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PETITIONER(S)/ACCUSED:

1. SANIL, AGED 29 YEARS, S/O.SUNNY,
NEDUMKALLEL HOUSE, MATTAKKODI BHAGOM,
POTHANIKKAD KARA, POTHANIKKAD VILLAGE,
KOOVALLOOR P.O., ERNAKULAM DISTRICT, PIN: 686 671.
2. SUNNY, AGED 57 YEARS, S/O.KURIAN,
NEDUMKALLEL HOUSE, MATTAKKODI BHAGOM,
POTHANIKKAD KARA, POTHANIKKAD VILLAGE,
KOOVALLOOR P.O., ERNAKULAM DISTRICT, PIN: 686 671.

**BY ADVS.SRI.ABU MATHEW
SRI.AJU MATHEW**

RESPONDENT(S)/COMPLAINANT AND DE FACTO COMPLAINT:

1. STATE OF KERALA,
THROUGH SUB INSPECTOR OF POLICE,
POTHANILLADU POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERLA, ERNAKULAM,
KOCHI - 682 031.
2. MARIAKKUTTY, AGED 76 YEARS,
W/O.KURIAN, NEDUMKALLEL HOUSE,
MATTAKKODI BHAGOM, POTHANIKKAD KARA,
POTHANIKKAD VILLAGE, KOOVALLOOR P.O.,
ERNAKULAM DISTRICT, PIN: 686 671.

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.VINUCHAND**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 07-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A1:** THE CERTIFIED COPY OF THE FIR DATED 16/01/2015 IN CRIME NO.41/2015 SUBMITTED BY THE SUB INSPECTOR OF POLICE, POTHANIKKAD POLICE STATION BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT NO.II, KOTHAMANGALAM.
- ANNEXURE A2:** THE CERTIFIED COPY OF THE FINAL REPORT IN C.C NO.345/2015 SUBMITTED BY THE SUB INSPECTOR OF POLICE, POTHANIKKAD POLICE STATION, BEFORE THE JUDICIAL FIRST LASS MAGISTRATE COURT NO.II, KOTHAMANGALAM.
- ANNEXURE A3:** THE ORIGINAL AFFIDAVIT EXECUTED BY THE 2ND RESPONDENT/DE FACTO COMPLAINT.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

CRL.M.C.No.3701 of 2015

Dated this the 7th day of July, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. Second petitioner is the son of the second respondent. First petitioner is the son of the second petitioner. The petitioners are accused in CC.No.345 of 2015 on the file of Judicial First Class Magistrate court-II, Kothamangalam. They are charged with having committed the offences under Sections 294(b), 323, 341 and 506 of Indian Penal Code. It is submitted that the dispute has been settled and the proceedings in the criminal case may be quashed.

3. Heard the learned counsel for the petitioners and the second respondent and the learned Public Prosecutor. The second respondent who is present before the court pursuant to the directions issued by the court also has been heard.

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. She submits that she has signed the affidavit and the matter has been settled. I am satisfied that the allegation is true and no public interest is involved in this case.

In the result, this CrI.M.C is allowed. The proceedings in CC.No.345 of 2015 on the file of the Judicial First Class Magistrate Court-II, Kothamangalam are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge