IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Crl.MC.No. 3807 of 2015 ()

CC.NO. 142/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PARAPPANANGADI

CRIME NO. 525/2009 OF THANUR POLICE STATION , MALAPPURAM DISTRICT

PETITIONER(S)/ACCUSED:

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1. **SHIBU, AGED 31 YEARS,S/O.RADHAKRISHNAN, POOTHIKKATTIL HOUSE, THALAKADATHUR, TIRUR.**

2. **KAUSALYA, AGED 50 YEARS,W/O.RADHAKRISHNAN, POOTHIKKATTIL HOUSE, THALAKADATHUR,TIRUR.**

3. **CHITRA, AGED 29 YEARS,W/O.SURESH BABU, POOTHIKKATTIL HOUSE, THALAKADATHUR, TIRUR.**

4. **SURESH BABU, AGED 33 YEARS, S/O.POOTHIKKATTIL HOUSE, THALAKADATHUR, TIRUR.**

BY ADVS.SRI.SAIJO HASSAN
SRI.BENOJ C AUGUSTIN
SRI.VISHNU BHUVANENDRAN

RESPONDENT(S)/STATE/DEFACTO COMPLAINANT:

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1. **STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

2. **SUB INSPECTOR OF POLICE THANUR POLICE STATION, THANUR, MALAPPURAM DISTRICT.**

3. **SAJITHA, AGED 25 YEARS, D/O.KUTTIMON, RESIDING AT MERI HOUSE, TIRURANGADI TALUK, PARIYAPURAM AMSOM, PARIYAPURAM DESOM.**

R1 & R2 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R3 BY ADV. SRI.C.U.SANGEETH

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

CRMC.NO.3807/2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEX 1 **COPY OF THE COMPLAINT ALONG WITH FINAL REPORT IN C.C.142/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PARAPPANANGADI**

ANNEX 11 **COPY OF THE AFFIDAVIT FILED BY 3RD RESPONDENT DATED 18/05/2015.**

RESPONDENT'S ANNEXURES: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3807 of 2015

Dated this the 24th day of June 2015

O R D E R

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

2. The 1st petitioner and the 3rd respondent are husband and wife. The other petitioners are his mother and close relatives. The petitioners are accused in C.C. No.142 of 2010 on the file of the Judicial First Class Magistrate Court, Parappanangadi. They are alleged to have subjected the 3rd respondent to cruelty and misappropriated her properties and thus committed the offences under Secs.498A and 406 of the 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 3rd respondent and the learned Public Prosecutor.

4. The 3rd 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 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 C.C. No.142 of 2010 on the file of the Judicial First Class Magistrate Court, Parappanangadi are quashed.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy /

NS P.A. To Judge