

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. 3871 of 2015

**C.C.NO.1127/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
KAYAMKULAM**

PETITIONER(S)/ACCUSED 1 & 2 :

1. PRIYADEV, AGED 34 YEARS,
S/O.VIJAYANATHABABU, KAVINTEVADAKKATHIL HOUSE,
PUTHUPPALLY VADAKKU, PUTHUPPALLY VILLAGE,
ALAPPUZHA DISTRICT.
2. ANANDAVALLY, AGED 68 YEARS,
W/O.VIJAYANATHABABU, KAVINTEVADAKKATHIL HOUSE,
PUTHUPPALLY VADAKKU, PUTHUPPALLY VILLAGE,
ALAPPUZHA DISTRICT.

BY ADV. SMT.S.L.SYLAJA

RESPONDENT(S)/STATE & DEFACTO - COMPLAINANT :

1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 31.
2. SOUMYA, AGED 24 YEARS,
W/O.PRIYADEV, SOUMYA BHAVAN, PAAVUKKARA P.O.,
MANNAR, ALAPPUZHA DISTRICT, PIN- 689 622.

**R1 BY PUBLIC PROSECUTOR SMT.R.REMA
R2 BY ADV. SRI.M.R.NANDAKUMAR**

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

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE I: PHOTO COPY OF THE FIR IN CRIME NO.1100/2013
REGISTERED BY THE KAYAMKULAM POLICE STATION.**

**ANNEXURE II: CERTIFIED COPY OF THE FINAL REPORT DATED 21/05/2013
FILED BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE
COURT, KAYAMKULAM.**

**ANNEXURE III: AFFIDAVIT DATED 11/06/2015 OF THE 2ND RESPONDENT
(DEFACTO-COMPLAINANT).**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. ABRAHAM MATHEW, J.

CRL.M.C.No.3871 of 2015

Dated this the 26th 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.1127/2013 on the file of the Judicial First Class Magistrate Court, Kayamkulam. They are alleged to have subjected the second 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 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 CrI.M.C. is allowed. The proceedings in CC.No.1127/2013 on the file of the Judicial First Class Magistrate Court, Kayamkulam are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge