

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

Crl.MC.No. 3904 of 2015

CRIME NO. 539/2014 OF AYYAMPUZHA POLICE STATION.
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PETITIONER(S)/ACCUSED 1 TO 3:

- 1. NIKHIL, S/O. CHACKO, AGED 26 YEARS,
PAKALOMATTOM, VAZHICHIL, CHULLY,
AYAMBUZHA VILLAGE, ERNAKULAM DISTRICT.**
- 2. CHACKO, S/O. MANI, AGED 65 YEARS,
PAKALOMATTOM, VAZHICHIL, CHULLY,
AYAMBUZHA VILLAGE, ERNAKULAM DISTRICT.**
- 3. GRACY CHACKO, W/O. CHACKO, AGED 60 YEARS,
PAKALOMATTOM, VAZHICHIL, CHULLY,
AYAMBUZHA VILLAGE, ERNAKULAM DISTRICT.**

BY ADV. SRI.A.C.DEVY

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. MARY NITHA JOSEPH, AGED 26 YEARS,
W/O. NIKHIL, CHAMMANIKODATH HOUSE,
KOTHAD P.O, SOUTH CHITTOOR,
ERNAKULAM DISTRICT - 682 027.**
- 2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R1 BY ADVS. SRI.SHAIJAN C.GEORGE

SMT.S.REKHA KUMARI

R2 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A :** THE TRUE CERTIFIED COPY OF THE FIR IN CRIME NO 539/2014
WITH TYPED COPY.
- ANNEXURE -B :** THE TRUE COPY OF THE RELEVANT PAGES OF CHARGE
SHEET SUBMITTED BEFORE JFCM,KALADY IN
CRIME NO 539/2014.
- ANNEXURE C :** THE TRUE COPY OF THE AFFIDAVIT SWORN BY THE DEFACTO
COMPLAINANT.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

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Crl.M.C. No. 3904 of 2015

Dated this the 30th day of June, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. The petitioner and the first respondent are husband and wife. The other petitioners are his parents. The petitioners are accused in C.C. No.1107 of 2014 on the file of the Judicial First Class Magistrate, Kalady. They are alleged to have subjected the first respondent to cruelty and cheated her and thus committed the offences under sections 498A and 420 of IPC. 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

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criminal case.

In the result, this Crl. M.C. is allowed. The proceedings in C.C. No.1107 of 2014 on the file of the Judicial First Class Magistrate, Kalady are quashed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

//True copy//

P.A. To Judge