

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

CrI.MC.No. 4069 of 2015 ()

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CC.NO. 312/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KODUNGALLUR
THRISSUR DISTRICT
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PETITIONER/ACCUSED :

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PRABHA,
AGED 54 YEARS, S/O.ACHUTHAN
KARIYEZHATH HOUSE, MADAVANA DESOM
MADAVANA P.O., ERIYAD VILLAGE,
KODUNGALLUR TALUK
THRISSUR DISTRICT.**

**BY ADVS.SRI.P.M.ABDUL JALEEL (KODUNGALLUR)
SRI.T.V. SHAJI
SRI.V.A. AJMAL**

RESPONDENTS/DEFACTO COMPLAINANT & STATE :

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1. SHEENA
AGED 47 YEARS, D/O.JANARDHANAN,
MANAYIL HOUSE, ANJOOR DESOM
ANJOOR VILLAGE, THALAPPILLY TLAUK
THRISSUR DISTRICT - 680 523.**

**2. STATE OF KERALA
REPRESENTED BY THE SUB - INSPECTOR OF POLICE
KODUNGALLUR, THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.**

**R1 BY ADV. SMT.N.V.SANDHYA
R2 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 4069 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1- CERTIFIED COPY OF CHARGE SHEET IN CC.NO. 312/14 ON THE
FILE JFCM, KODUNGALLUR.**
- ANNEXURE A2- THE COPY OF AWARD PASSED BY THE LOK ADALATH,
KODUNGALLUR.**
- ANNEXURE A3- THE ORIGINAL RECEIPT SHOWING DEPOSIT OF 50 LAKHS
ISSUED FROM THE FAMILY COURT, IRINJALAKUDA.**
- ANNEXURE A4- THE AFFIDAVIT SIGNED BY THE RESPONDENT 1.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

Crl.M.C. No.4069 of 2015

Dated this the 8th day of July 2015

O R D E R

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

2. The 1st petitioner and the 1st respondent are husband and wife. The petitioners are the accused in C.C. No.312 of 2014 on the file of Judicial First Class Magistrate Court, Kodungallur. He is alleged to have assaulted and threatened the 1st respondent (punishable under Secs.323 and 506 of the Indian Penal Code) and committed the offence under Sec.31 of the Protection of Women from Domestic Violence Act. 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 petitioner and for the 1st 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 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.312 of 2014 on the file of Judicial First Class Magistrate Court, Kodungallur are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

NS

P.A. To Judge