

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

Crl.MC.No. 4079 of 2015 ()

**CC.NO. 579/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - I,
NORTH PARAVUR
CRIME NO. 918/2009 OF MUNAMBOM POLICE STATION , ERNAKULAM DISTRICT**

PETITIONER(S)/ACCUSED 1 AND 2:

- 1. SANJAY, AGED 41 YEARS, S/O.SURESH,
ANJALASSERY HOUSE, KUZHUPPILLY KARA,
KUZHUPPILLY VILLAGE,
NOW RESIDING AT ANJALASSERY HOUSE, CHERAYI,
PALLIPPURAM VILLAGE, KOCHI TALUK.**
- 2. SURESH, AGED 68 YEARS, S/O.BHASKARAN,
ANJALASSERY HOUSE, KUZHUPPILLY KARA,
KUZHUPPILLY VILLAGE.**

BY ADV. SRI.V.JOHN SEBASTIAN RALPH

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE, MUNAMBAM
(IN CR.NO.918/2009) REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**
- 2. RESHMA, AGED 30 YEARS,
W/O.SANJAY, ANJALASSERY HOUSE, KUZHUPPILLY KARA,
NOW RESIDING AT ANJALASSERY HOUSE,
CHERAYI, PALLIPPURAM VILLAGE, KOCHI TALUK.**

R1 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:**

sts

APPENDIX

**ANNEX 1 : CERTIFIED COPY OF THE FINAL REPORT/CHARGE SHEET IN
CC.NO.579/2010 ON THE FILE OF THE JFCM COURT, NORTH PARAVUR.**

ANNEX 2 : AFFIDAVIT FILED BY THE 2ND RESPONDENT.

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/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.4079 of 2015

Dated this the 8th day of July 2015

ORDER

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

2. The 1st petitioner and the 2nd respondent are husband and wife. The other petitioner is his father. The petitioners are the accused in C.C. No.579 of 2010 on the file of Judicial First Class Magistrate Court, North Paravur. They are alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec.498A of the Indian Penal Code and Sec.27 of the Arms 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 petitioners and for the 2nd 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 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.579 of 2010 on the file of Judicial First Class Magistrate Court, North Paravur are quashed.

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

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P.A. To Judge