

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Crl.MC.No. 4160 of 2015

C.C.NO.711 OF 2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,VADAKARA

PETITIONER(S)/ACCUSED NOS. 1 & 2 :

- 1. SHYJU N.V., AGED 35 YEARS,
S/O.RAMDASAN, NAMBOLANTAVIDA HOUSE, KURIYADI,
CHORODE P.O., KOZHIKODE DISTRICT.**
- 2. KANCHANA, AGED 55 YEARS,
W/O.RAMADASAN, NAMBOLANTAVIDA HOUSE, KURIYADI,
CHORODE P.O., KOZHIKODE DISTRICT.**

BY ADV. SMT.V.KHEMA

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SHYNI, AGED 28 YEARS,
D/O.RAJAN, USHASS, FISHERMEN COLONY,
CHERIYAMANGAD, KOYILANDI.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SMT.K.L.LAKSHMI RANI**

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

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A1: THE CERTIFIED COPY OF THE FIR NO.169/2014 OF POLICE
STATION, VADAKARA DATED 27.01.2014, FIS AND FINAL
REPORT.**

**ANNEXURE A2: TRUE COPY OF THE AFFIDAVIT FILED BY
THE 2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. ABRAHAM MATHEW, J.
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Crl. M.C. No. 4160 of 2015

Dated this the 7th day of July, 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 accused in C.C. No.711 of 2014 on the file of the Judicial First Class Magistrate, Vadakara. They are alleged to have subjected the second respondent to cruelty and thus committed the offences under Section 498A 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 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

Crl. M.C. No. 4160 of 2015

::2::

criminal case.

In the result, this Crl. M.C. is allowed. The proceedings in C.C. No.711 of 2014 on the file of the Judicial First Class Magistrate,Vadakara are quashed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

//True copy//

P.A. To Judge