

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

CrI.MC.No. 4254 of 2015 ()

**CC.NO. 426/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
CHANGANACHERRY**

PETITIONER :

**BABU JOHN,
S/O.T.C.JOHN, KOCHUPARAMBIL(THERAMBIL)
KUMARAKOM NORTH, KOTTAYAM.**

BY ADV. SRI.S.NIDHEESH

RESPONDENTS :

**1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

**2. BEXY ELIZABETH BABU,
D/O.LATE BABU T.N., VANIYAPURACKAL MOOLAYIL HOUSE
VAKATHANAM, CHANGANASSERY-686 103.**

**R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.JINU JOSEPH**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 09-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 4254 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE-I TRUE COPY OF THE CHARGE SHEET IN C.C.426/12 ON THE
FILE OF JFCM COURT, CHANGANASSERY.**

ANNEXURE-II TRUE COPY OF THE AGREEMENT DATED 7.7.2015.

ANNEXURE-III AFFIDAVIT OF THE 2ND RESPONDENT DATED 7.7.2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

CRL.M.C.No.4254 of 2015

Dated this the 9th day of July, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. Petitioner and the second respondent are husband and wife in CC.No.426/2012 on the file of the Judicial First Class Magistrate Court, Changanassery. He is charged with having committed the offence under Section 498A of the Indian Penal Code. It is submitted that the matter has been settled. The request is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioner and the second respondent and the learned Public Prosecutor.

4. I have perused the affidavit filed by the second respondent. I am satisfied that the matter has been settled and no public interest is involved in this case.

In the result, this CrI.M.C. is allowed. The proceedings in CC.No.426/2012 on the file of the Judicial First Class Magistrate Court, Changanassery are quashed.

sd/-

**K. ABRAHAM MATHEW
JUDGE**