

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

Cr1.MC.No. 7137 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN CC 720/2011 of J.M.F.C.-II, ATTINGAL
CRIME NO. 295/2011 OF PALLIKKAL POLICE STATION THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED:

SUDHEER, AGED 38 YEARS,
S/O. HAMID, HAMID MANZIL, KATTUPUTHUSSERI,
PALLIKKAL VILLAGE, THIRUCANANTHAPURAM DISTRICT.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT(S)/STATE & COMPLAINANT & VICTIM:

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

2. SUB INSPECTOR OF POLICE
PALLIKKAL POLICE STATION,
THIRUVANANTHAPURAM 695 041.

3. SHAMLA,
D/O. SHANIFA BEEVI, AGED 31 YEARS, JASEEL MANZIL,
PALAVACODE,
MAVAIKULAM VILLAGE, CHIRAYINKEEZHU TALUK,
THIRUVANANTHAPURAM DISTRICT 695 101.

R1 & R2 BY PUBLIC PROSECUTOR SMT.M.T.SHEEBA
R3 BY ADV. SRI.R.ARUN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
11-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 7137 of 2015 ()

APPENDIX

PETITIONER(S) ' EXHIBITS

ANNEXURE A1 - TRUE COPY OF THE FIR IN CRIME NO. 295/2011 OF PALLIKKAL
POLICE STATION.

ANNEXURE A2 - TRUE COPY OF THE FINAL REPORT IN ANNEXURE A1.

ANNEXURE A3 - COPY OF THE AFFIDAVIT OF THE 3RD RESPONDENT.

RESPONDENT(S) ' EXHIBITS : NIL

/TRUE COPY/

P. A. TO JUDGE

Pn

SUNIL THOMAS, J.

Crl. M. C. No. 7137 of 2015

Dated this the 11th day of November, 2015

ORDER

The accused in Crime No.295/2011 of Pallikkal Police Station for offences punishable under Sections 498A, 341, 342, 323, 499 read with Section 34 IPC, is the petitioner herein.

2. The Crl.M.C. is filed to quash the proceedings on the ground that, after lodging of the FIR, the matter has been settled between the parties amicably and that they are living together. It is further stated that the alleged injury on the 3rd respondent was only a trivial one.

3. The 3rd respondent wife, who is the aggrieved person, has appeared and filed an affidavit stating that the matter has been settled and she has no objection in quashing the proceedings. It is further stated that she wanted to continue with the matrimonial life with the husband.

4. The learned Public Prosecutor on instructions submitted that final report has been filed, confined to Sections 323 & 498A IPC.

5. Evidently this is a purely individual dispute arising out of a matrimonial discord. In the interest of justice and in the

interest of continuance of the family relationship, I feel that, the criminal proceedings are liable to be terminated. The continuance of further proceedings may amount to manifest injustice. Hence all proceedings in C.C. No.720/2011 of JFMC - II, Attingal, arising from Crime No. 295/2011 of Pallikkal Police Station, stands quashed.

Crl. M. C. is allowed as above.

Sd/-

SUNIL THOMAS, JUDGE.

/true copy/

P. A. to Judge

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