

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

Crl.MC.No.7016 of 2014

**O.P(HMA)NO.1012/2011 OF THE FAMILY COURT,THIRUVALLA
(CC NO.907/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
MAVELIKKARA).**

PETITIONERS:

1. **PADMA RADHAKRISHNA PILLAI,AGED 65 YEARS,
W/O.RADHAKRISHNA PILLAI,THARAMEL KIZHAKETHIL VEETIL,
KOTTACKAKAM MURI,MAVELIKARA VILLAGE,
MAVELIKARA TALUK.**
2. **MANOJ RADHAKRISHNAN,AGED 36 YEARS,
S/O.RADHAKRISHNA PILLAI,THARAMEL KIZHAKETHIL VEETIL,
KOTTACKAKAM MURI,MAVELIKARA VILLAGE,
MAVELIKARA TALUK.**

**BY ADVS.SRI.R.PADMAKUMAR
SRI.P.ARAVIND**

RESPONDENTS:

1. **THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
2. **MOHANAN,AGED 52 YEARS,
S/O.PARAMESWARA KURUP,CHAMAKALAYIL,
MADATHUMBHAGAM MURI,PURAMATTOM VILLAGE.**
3. **VIKRAMAN PILLAI,AGED 62 YEARS,
S/O.SREEDHARAN PILLAI,MECHHOOR HOUSE,
MADATHUMBHAGAM MURI,PURAMATTOM VILLAGE.**

R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 05-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS

ANNEXURE-A1: A TRUE COPY OF THE FIR & FIS IN CRIME NO.647/2011.

**ANNEXURE-A2:TRUE COPY OF THE FINAL REPORT FILED BY MAVELIKARA
POLICE BEFORE J.F.C.M. COURT-I,MAVELIKARA.**

**ANNEXURE-A3:TRUE COPY OF THE JUDGMENT PASSED BY FAMILY COURT,
THIRUVALLA IN O.P.(HMA)NO.1012/2011.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

pk

B. KEMAL PASHA, J.

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Crl.M.C. No.7016 of 2014
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Dated this the 5th day of January, 2015

ORDER

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CW1 and CW2 in C.C.907/2013 of the Judicial First Class Magistrate's Court-I, Mavelikkara have come up under Section 482 Cr.P.C. for getting all the proceedings in C.C.907/2013 which has arisen from Crime No.647/2011 of Mavelikkara Police Station, quashed. The case is pending for the offences under Sections 323, 294(b) and 506(i) read with Section 34 IPC.

2. The allegation against the accused is that on 30.08.2011 at 5 p.m. the accused, who are respondents 2 and 3, beat the 2nd petitioner and when the defacto complainant, who is the 1st petitioner, intervened for the rescue of her son, she was abused and she was also

slapped on her back and head, thereby her modesty was outraged. According to the petitioners, all the matters in dispute between them and the accused have been amicably settled and presently, they have no complaints against the accused, who are respondents 2 and 3. Therefore, they pray that all further proceedings in the case may be quashed.

3. Heard learned counsel for the petitioners and learned Public Prosecutor.

4. It has come out that all the disputes between the parties have been amicably settled and presently, there are no subsisting disputes between the parties. The parties are close relatives. Considering all the above, I am of satisfied that this is a fit case wherein the proceedings can be quashed as prayed for.

In the result, this CrI.M.C. is allowed and Annexure-A2 final report in Crime No.647/2011 of Mavelikkara Police Station and all further proceedings

Crl.M.C.7016/2014

: 3 :

based on it in C.C.907/2013 pending before the Judicial
First Class Magistrate's Court-I, Mavelikkara are hereby
quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/05/01

// True Copy //

PA to Judge