

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.UBAID

FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937

Crl.MC.No.7271 of 2014

CC NO.121/2014 OF THE CHIEF JUDICIAL MAGISTRATE COURET,KOLLAM.

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PETITIONER:

**P.K.SREEDEVI AMMA,AGED 55 YEARS,
D/O.KRISHNA PILLAI,T.14 PROFESSOR QUARTERS,
K.A.U,VELLANIKARA,THRISSUR-680656.**

**BY ADVS.SRI.SEBASTIAN PAUL
SRI.S.VIJAYAKUMAR (NALLOOR)
SMT.LIZAMMA AUGUSTINE
SRI.RON BASTIAN
SMT.SABEENA PJSMAIL
SRI.BEN TOM
SMT.J.AMULYA**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682031.**
- 2. SUGEETHA MENON,AGED 42 YEARS,
RADHAKRISHNA,206,SREEKRISHNA NAGAR,
ASRAMAM,KOLLAM-691002.**

**R1 BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB.
R2 BY ADVS.SRI.V.V.RAJA
SRI.M.T.SURESHKUMAR**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 15-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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Crl.MC.No.7271 of 2014

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A1: CERTIFIED COPY OF THE FIR 1212 OF 2013.

ANNEXURE A2: CERTIFIED COPY OF FINAL REPORT IN CC 121/14 (FIR 1212/2013).

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

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P. UBAID, J.

Crl.M.C.No.7271 of 2014

Dated this the 15th day of May, 2015

O R D E R

The petitioner herein is the accused in C.C. No.121/2014 of the Chief Judicial Magistrate, Kollam. She seeks orders quashing the prosecution on the ground of amicable settlement of the whole dispute between her and the de facto complainant. Crime in this case was registered under Sections 66A, 66B, 67A and 67B of the Information Technology Act on the complaint of one Sugeetha Menon, who is the 2nd respondent in this proceeding brought under Section 482 of the Code of Criminal Procedure. She has filed affidavit to the effect that she has settled the whole dispute with the accused and she has no grievance or complaint now.

2. In so many decisions, the Hon'ble Supreme Court has held that even in cases involving non-compoundable offences, the High Court can quash the prosecution in pending proceedings, if the parties have really settled the whole dispute amicably out of court, and continuance of further proceedings will not serve any

purpose in such a circumstance of amicable settlement. Here, I find a real and genuine case of settlement between the parties. This is not a case involving any public interest or public issue. The parties have come to terms amicably on the intervention of persons acceptable to both sides, and I am satisfied that the parties are now on quite cordial terms. In such a situation, continuance of the prosecution will not serve any purpose other than wasting the precious time of the court. No doubt, nobody will support the prosecution in such a situation, if the case goes to trial.

In the result, this petition is allowed. The prosecution against the petitioner herein in C.C. No.121/2014 of the Chief Judicial Magistrate, Kollam will stand quashed under Section 482 of the Code of Criminal Procedure. Accordingly, the petitioner will stand released from prosecution and the bail bond, if any, executed by her will stand discharged.

Sd/-

P. UBAID, JUDGE

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