

Santhosh Kumar Vs. Vilojitha

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Court : Kerala

Decided On : Jan-30-2013

Judge : Honourable Mr.Justice Antony Dominic

Appellant : Santhosh Kumar

Respondent : Vilojitha

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR WEDNESDAY, THE 30TH DAY OF JANUARY 2013 10TH MAGHA 193 CrI.MC.No. 659 of 2013 ----- [C.C. NO.129/2012 OF THE CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD, CRIME NO. 562/2012 OF TOWN NORTH POLICE STATION , PALAKKAD] PETITIONERS: ----- 1. SANTHOSH KUMAR, S/O.MURUKAN,AGED 3 YEARS, `SARAVANA BHAVANAM',SHANKUVARATHOD, KALPATHY,PALAKKAD- 2.

2. AMBIKA, W/O.MURUKAN,AGED 5 YEARS, `SARAVANA BHAVANAM',SHANKUVARATHOD, KALPATHY,PALAKKAD 2

3. MUUKAN, S/O.MANIYAN, AGED 6 YEARS,`SARAVANA BHAVANAM', SHANKUVARATHOD, KALPATHY,PALAKKAD 2

4. PRASANTH KUMAR, S/O.MURUKAN, AGED 2 YEARS, `SARAVANA BHAVANAM',SHANKUVARATHOD, KALPATHY,PALAKKAD 2 BY ADV.

SRI.P.K.MOHANAN(PALAKKAD). RESPONDENTS/COMPLAINANT & STATE:
----- 1. VILOJITHA, AGED 2 YEARS,
D/O.RADHAKRISHNAN,`PALLAVI NIVAS',CHANDANAM PARAMBU,
VANDAZHI,ALATHUR TALUK,PALAKKAD DISTRICT, PIN

706.

2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM. PIN 68.031. R1 BY ADV. SRI.SAJU.S.A, R2 BY PUBLIC PROSECUTOR SRI. T. RAMAPRASAD UNNI. THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 30-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Prv. CRL.M.C. NO.659/2013: APPENDIX PETITIONERS' ANNEXURES: ANNEXURE 1 TRUE COPY OF THE F I R INCLUDING THE F I S OF PALAKKAD TOWN NORTH POLICE CRIME NO.562/12. ANNEXURE 2 CERTIFIED COPY OF THE POLICE CHARGE IN CRIME NO.562/12 OF PALAKKAD NORTH POLICE STATION. ANNEXURE 3 AFFIDAVIT OF THE 1ST RESPONDENT DATED 09 01.2013. RESPONDENTS' ANNEXURES: NIL. //TRUE COPY// P.A. TO JUDGE Prv. T.R.RAMACHANDRAN NAIR, J.

----- CRL.M.C.No.659 Of 2013
----- DATED THIS THE 30th DAY OF JANUARY, 2013 ORDER The 1st petitioner is the husband of the 1st respondent and petitioners 2 to 4 are the relatives of the 1st petitioner. They have been arrayed as accused in C.C.No.129/12 on the file of the Chief Judicial Magistrate Court, Palakkad. The offences alleged are under Section 498A read with Section 34 of IPC.

2. It is submitted that all the disputes have been settled between the parties and the 1st petitioner and the 1st respondent are living together and they are leading a happy life.

3. Heard the learned counsel for the 1st respondent, who also submitted that all the disputes have been settled and the parties are residing together as husband and wife and therefore the 1st respondent does not want to proceed with the

criminal case.

4. In the light of the amicable settlement of the disputes, there will not be any useful purpose in proceeding with the prosecution steps in a matter like this, wherein the family CrI.M.C.No.659/13 -2- disputes have led to the filing of the criminal complaint and now they have happily re-united. Therefore, this is a fit case wherein this Court can quash the proceedings invoking the jurisdiction under Section 482 of Cr.P.C. The CrI.M.C. is allowed. The proceedings in C.C.No.129/12 on the file of the Chief Judicial Magistrate Court, Palakkad will stand quashed. Sd/- (T.R.RAMACHANDRAN NAIR), JUDGE. dsn

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