SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Satheesh vs State of Kerala

Satheesh vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1782488

Court : Kerala

Decided On : Jul-10-2020

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : Crl.MC/3137/2020

Appellant : Satheesh

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN FRIDAY, THE 10TH DAY OF JULY 2020 / 19TH ASHADHA, 1942 Crl.MC.No.3137 OF 2020(B) AGAINST THE ORDER/JUDGMENT IN CC 13/2019 OF JUDICIAL MAGISTRATE OF FIRST CLASS ,CHITTUR CRIME NO.605/2018 OF Chittur Police Station , Palakkad PETITIONER/S: 1 SATHEESH AGED 42 YEARS S/O.MANIYAN, THANNIYAMPADAM (H), 2 MANIYAN AGED 70 YEARS S/O.KITTU, THANNIYAMPADAM (H), THATHAMANGALAM, CHITTUR, PALAKKAD DIST. 3 KUNCHA AGED 70 YEARS W/O.MANIYAN, THANNIYAMPADAM (H), 4 JAGADEESHAN AGED 45 YEARS S/O.MANIYAN, THANNIYAMPADAM (H), 5 SUNITHA AGED 42 YEARS W/O.JAGADEESHAN, THANNIYAMPADAM(H), BY

ADV. SRI.T.K.SANDEEP CRL.MC.3137/2020 2 RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-31. 2 DIVYA AGED 35 YEARS, W/O.SATHEESH, THANNIYAMPADAM (H), METTUPALAYAM, THATHAMANGALAM, CHITTUR P.O., PALAKKAD DIST. -678 101. R2 BY ADV. ALEX ABRAHAM OTHER PRESENT: SR.PP. C.S.HRITHWIK THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 10.07.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: CRL.MC.3137/2020 3

V.G.ARUN, J.

---------- CRL.M.C.No. 3137 of 2020 ---------- Dated this the 10th day of July, 2020

ORDER

Petitioners are the accused in Crime No.605 of 2020 of

Chittur Police Station, registered for offences under Sections 498A, 324 and 34 of IPC. The 2nd respondent, at whose instance the crime is registered, has filed Annexure IV affidavit stating that the dispute, which prompted her to file the complaint, had arisen out of a misunderstanding, which has since been sorted out and that the 2 nd respondent has resumed cohabitation with, the 1 st petitioner and is

living in harmony with the other petitioners. 2.

2. Heard the learned Public Prosecutor also, who, on instructions, submits that the petitioners have no criminal antecedents.

3. Having considered the gravity of the offences alleged,

the nature of the injury caused and having perused the affidavit filed by the 2nd respondent, the contents of which are submitted to be true and voluntary, I am satisfied that the matter has been amicably settled and that no public interest is

involved in this matter. Hence, there is no impediment in granting the relief sought.

CRL.MC.3137/2020 4 In the result, this Crl.M.C is allowed. The proceedings in C.C.No.13 of 2019 of the Judicial First Class Magistyrate Court, Chittur in Crime No.605/2020 of Chittur Police Station is quashed.

Sd/- V.G.ARUN, JUDGE vgs CRL.MC.3137/2020 5 APPENDIX PETITIONER'S/S EXHIBITS: ANNEXURE I CERTIFIED COPY OF THE FIR IN CRIME NO.605/2018 DTD. 3/11/2018 OF CHITTOOR POLICE STATION, PALAKKAD DISTRICT. ANNEXURE AII CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.605/2018 DATED 24/12/2018 OF CHITTUR POLICE STATION, PALAKKAD DISTRICT. ANNEXURE III CERTIFIED COPY OF THE MEMORANDUM OF EVIDENCE IN CRIME NO.608/2018 OF CHITTUR POLICE STATION. ANNEXURE IV A TRUE COPY OF THE AFFIDAVIT SWORN IN BY THE 2ND RESPONDENT DATED 25/06/2020.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com