

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE SHIRCY V.

WEDNESDAY, THE 30TH DAY OF JUNE 2021 / 9TH ASHADHA, 1943

CRL.MC NO. 1352 OF 2021

PETITIONERS/ACCUSED

- 1 SHAJIN S CHANDRAN
 AGED 30 YEARS
 S/O. SHINE CHANDRAN, PRESENTLY RESIDING AT TC
 75/1229, THOPPIL HOUSE, TOPPIL LANE, PETTAH P.O.,
 THIRUVANANTHAPURAM-695 024
- 2 JISHA
 AGED 46 YEARS
 (MOTHER OF SHAJIN S.CHANDRAN) W/O. SHINE CHANDRAN,
 PRESENTLY RESIDING AT TC 75/1229, THOPPIL HOUSE, TOPPIL
 LANE, PETTAH P.O., THIRUVANANTHAPURAM-695 024
- 3 SHINA S.CHANDRAN
 AGED 27 YEARS
 (SISTER OF SHAJIN S.CHANDRAN) D/O. SHINE CHANDRAN,
 PRESENTLY RESIDING AT TC 75/1229, THOPPIL HOUSE, TOPPIL
 LANE, PETTAH P.O., THIRUVANANTHAPURAM-695 024

 BY ADVS.
 N.KRISHNA PRASAD
 SHRI.B.S.SANKAR LAL

RESPONDENTS/STATE AND DEFACTO COMPLAINANT

- 1 STATE OF KERALA
 REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
 KERALA, ERNAKULAM-682 031
- 2 ANU
 AGED 20 YEARS
 D/O. AJI KUMAR, PRESENTLY RESIDING TC 40/1172,
 KARAKKADU VEED, JAGATHY, THYCAUD, THIRUVANANTHAPURAM-695
 014

 BY ADV YOGAMAYA M.G

OTHER PRESENT:

ADV.AJITH MURALI- PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 30.06.2021,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Petition under Section 482 of the Code of Criminal Procedure.

2. The petitioners are the accused 1 to 3 in Crime No.2267 of 2019 of Pettah Police Station registered for the offences punishable under Sections 294(b), 323, 498A of Indian Penal Code, .

3. Heard both sides and perused the records.

4. It is submitted by the learned counsel for the petitioners that the parties have resolved the entire dispute among themselves and there is no subsisting dispute between them. Therefore, this petition to quash Annexure A1 FIR.

5. Learned counsel appearing for the 2nd respondent/defacto complainant has submitted that she has absolutely no grievance or complaints against the petitioners. Annexure A2, the affidavit sworn to by her, indicates that she has no intention to pursue the matter further.

6. The learned Public Prosecutor has reported that the prosecution has no serious objection in allowing the petition.

7. As the dispute has been amicably settled, the possibility of conviction is remote and bleak.

8. Therefore, considering the special facts and circumstances involved in this case, I find that no fruitful purpose is likely to be served by proceeding with the matter against the petitioners. Moreover, no public interest is involved in the case and there is no legal impediment in granting the prayer as sought for by the petitioners. Therefore, for the purpose of securing the ends of justice, this CrI.M.C. is only to be allowed, invoking the jurisdiction under Section 482 of Cr.P.C.

For the foregoing reasons, Annexure A1 FIR and all further proceedings in Crime No.2267 of 2019 of Pettah Police Station, will stand quashed as prayed for.

Sd/-

**SHIRCY V.
JUDGE**

smm

APPENDIX OF CRL.MC 1352/2021

PETITIONER ANNEXURE

ANNEXURE-A1

CERTIFIED COPY OF THE FIRST INFORMATION REPORT
DATED 10.12.2019 IN CRIME NO.2267/2019 DATED
10.12.2019 REGISTERED WITH THE PETTAH POLICE
STATION, THIRUVANANTHAPURAM

ANNEXURE-A2

ORIGINAL OF THE AFFIDAVIT DATED 01.02.2021 SWORN
TO BY THE 2ND RESPONDENT