

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

Crl.MC.No. 747 of 2015

CRIME NO. 627/2014 OF AMBALAMEDU POLICE STATION, ERNAKULAM DISTRICT.

PETITIONER(S)/ACCUSED:

1. **ABDUL NIZAR, AGED 35 YEARS,
S/O.ABDUL KHADER, KENT MAHAL NO.16 B5,
NEAR INFOPARK, KAKKANAD, ERNAKULAM DISTRICT,
PRESENTLY RESIDING AT ADAKKAPARAMBIL HOUSE,
P.O.PADYAM, MUTTICHUR, ANTHIKAD VILLAGE,
THRISSUR DISTRICT.**
2. **RAFI, AGED 40 YEARS, S/O.IBRAHIM,
PUTHIYAVEETIL HOUSE, KIZHIPULLIKARA,
THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENT(S):

1. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
2. **ANCY BENNY, AGED 40 YEARS,
W/O.BENNY JOSEPH, RESIDING AT NJAVALIL,
CHOORAKATTU HOUSE, P.O.KOUDMPIDY,
KOLLAPPALLY VILLAGE,
KOTTAYAM DISTRICT - 686 651.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADVS. SRI.PRADEESH CHACKO
SRI.V.V.JOY**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-05-2015 ALONG WITH CRMC. 2743/2015, THE COURT ON
THE SAME DAY PASSED THE FOLLOWING:**

mbr/

APPENDIX

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ANNEXURE A: A TRUE COPY OF THE FIR IN CRIME NO.627/2014 OF AMBALAMEDU POLICE STATION, ERNAKULAM DISTRICT.

ANNEXURE B: A TRUE COPY OF THE AFFIDAVIT FILED BY THE 2ND RESPONDENT EVIDENCING THE FACT OF SETTLEMENT.

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/TRUE COPY/

P.S. TO JUDGE

mbr/

K.ABRAHAM MATHEW J.

Crl.M.C. Nos.747 & 2743 of 2015

Dated this the 29th day of May, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. Petitioners are accused in C.C.No.173 of 2015 on the file of the Judicial Magistrate of the First Class, Chottanikara. They are charged with having committed the offences under Sections 323, 325 and 452 IPC. It is submitted that the matter has been settled and the prayer is to quash the proceedings in the criminal case.

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

4. The injured second respondent has filed an affidavit to the effect that the dispute has been settled and she has no objection to the proceedings in the criminal case being quashed. I am satisfied that the allegation is true. No public interest is involved in this case. This is a fit case to invoke the jurisdiction of this court under Section 482 Cr.P.C to quash the proceedings in the criminal case.

In the result, this Crl.M.C is allowed. The proceedings in C.C.No.173 of 2015 on the file of the Judicial Magistrate of the First Class, Chottanikara are quashed.

Sd/-

**K.ABRAHAM MATHEW
JUDGE**

cms

/True copy/

P.S.to Judge