

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Crl.MC.No.930 of 2015

**CC NO.600/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT-1, PERAMBRA.
CRIME NO.156/2013 OF PERAMBRA POLICE STATION,KOZHIKODE.**

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PETITIONER'S/ACCUSED:

1. **SAMSHEER,S/O.VEERANKUTTY,AGED 30 YEARS,
AL-AMAN,NELLIKKADATH,POST PALLIKKAL,
KAVUMPADI,KONDOTTY TALUK,
MALAPPURAM DISTRICT-673634.**
2. **JAMEELA,W/O.VEERNKUTTY,AGED 30 YEARS
AL-AMAN,NELLIKKADATH,POST PALLIKKAL,
KAVUMPADI,KONDOTTY TALUK,
MALAPPURAM DISTRICT-673634.**

**BY ADVS.SRI.M.G.SREEJITH
SRI.ABDUL JALEEL ONATH**

RESPONDENTS/DEFACTO COMPLAINANT/STATE:

1. **STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
VADAKKEKARA POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682031.**
2. **V.M.NAHALA,D/O.MOIDU,AGED 25 YEARS,
VARIAM MADATHIL HOUSE,PALERI AMSOM,
CHERIYA KUMBALAM DESOM,KOYILANDI TALUK,
KOZHIKODE DISTRICT-673634.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.
R2 BY ADV.SRI.SUNNY ZACHARIAH.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

CrI.MC.No.930 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEXURE-A1:THE CERTIFIED COPY OF CHARGE IN CRIME NO.156/2013 AND
NOW C.C.600/2014 IN THE FILE OF JUDICIAL FIRST CLASS
MAGISTRATE COURT-I,PERAMBRA.**

ANNEXURE-A2:AFFIDAVIT FILED BY 2ND RESPONDENT DATED 27/08/2014.

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

K. ABRAHAM MATHEW, J.

Crl.M.C. No.930 of 2015

Dated this the 22nd day of June 2015

ORDER

Petition filed under Sec.482 Cr.P.C.

2. The 1st petitioner and the 2nd respondent are husband and wife. The 2nd petitioner is his mother. The petitioners are accused in C.C. No.600 of 2014 on the file of the Judicial First Class Magistrate Court-I, Perambra. They are alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec.498A of Indian Penal Code and Sec.118(d) of the Kerala Police Act. It is submitted that the dispute between the parties has been settled. The request is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioners and for the 2nd respondent and the learned Public Prosecutor.

4. The 2nd 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 Sec.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.600 of 2014 on the file of the Judicial First Class Magistrate Court-I, Perambra are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge