

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

Crl.MC.No. 1076 of 2015

**CC 1108/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MALAPPURAM
CRIME NO. 170/2014 OF MALAPPURAM POLICE STATION , MALAPPURAM**

PETITIONER(S)/ACCUSED:

1. **RAFEEK, AGED 30 YEARS,
S/O.UMMER, PALEMPADIYAN HOUSE, VAZHAKKETTERI
KOOTILANGADI, MALAPPURAM DISTRICT.**
2. **RAMLA, AGED 43 YEARS
W/O.UMMER, PALEMPADIYAN HOUSE, VAZHAKKETTERI
KOOTILANGADI, MALAPPURAM DISTRICT.**
3. **SHABEER ALI, AGED 33 YEARS,
S/O.MOHAMMED, MANAKKODAN HOUSE, PAYYANATTU
CHOLAKKAL, MALAPPURAM DISTRICT.**
4. **UMMER, AGED 53 YEARS,
S/O.MOHAMMED, PALEMPADIYAN HOUSE, VAZHAKKETTERI
KOOTILANGADI, MALAPPURAM DISTRICT.**

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

1. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
(CRIME NO.170/2014 F MALAPPURAM POLICE STATION)**
2. **SHAHALA, AGED 22 YEARS
D/O.ABDURASAK, CHERIKKAKKATTIL HOUSE
VADAKKANGARA AMSOM, MAKKARAPARAMBU.P.O-676521,
MALAPPURAM DISTRICT.**
3. **MOHAMMED RASHID,, AGED 19 YEARS,
S/O.ABDURASAK, CHERIKKAKKATTIL HOUSE,
VADAKKANGARA AMSOM, MAKKARAPARAMBU.P.O-676521
MALAPPURAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2-3 BY ADV. SRI.K.C.ANTONY MATHEW**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 09-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE-A1 TRUE COPY OF FINAL REPORT IN CRIME NO.170/2014 OF
MALAPPURAM POLICE STATION.**

**ANNEXURE-A2 TRUE COPY OF THE AGREEMENT DATED 04-07-2014 EXECUTED
BETWEEN THE 2ND PETITIONER AND THE 2ND RESPONDENT**

ANNEXURE-A3 AFFIDAVIT SWORN IN BY THE 2ND RESPONDENT DATED 30-08-2014.

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

Crl.M.C. No.1076 of 2015

Dated this the 9th day of June 2015

O R D E R

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

2. Petitioners are accused in C.C. No.1108 of 2014 on the file of the Judicial First Class Magistrate Court, Malappuram. They are charged with having committed the offences under Secs.323, 324, 341, 354 and 498A read with Sec.34 of Indian Penal Code. The 1st petitioner is the husband of the 2nd respondent and the other petitioners are his close relatives. The 3rd respondent is the brother of the 2nd respondent. 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 and 3rd respondents and the learned Public Prosecutor.

4. Perused the affidavits filed by respondents 2 and 3. I am satisfied that the dispute between the parties has been settled. 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.1108 of 2014 on the file of the Judicial First Class Magistrate Court, Malappuram are quashed. The material objects if any produced in this case will be disposed by the learned Magistrate concerned.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge