

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Crl.MC.No.1492 of 2015

**CC NO.346/2008 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
MAVELIKKARA.
CRIME NO.252/2007 OF KURATHIKADU POLICE STATION,ALAPPUZHA.**

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PETITIONERS/ACCUSED NO.1 O 3:

1. **ABIDABEEVI,AGED 58 YEARS,W/O.ALI HUSSAIN,
KALAM MANZIL,VETTIYAR MURI,VETTIYAR VILLAGE.**
2. **AL HUSSAIN,AGED 68 YEARS,S/O.MYTHEENKUNJU LABBA,
KALAM MANZIL,VETTIYAR MURI,VETTIYAR VILLAGE.**
3. **ABDULKALAM,AGED 40 YEARS,S/O.ALI HUSSAIN,
KALAM MANZIL,VETTIYAR MURI,VETTIYAR VILLAGE.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENTS/STATE AND CW1:

1. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682031.**
2. **THAJ NISSAMOL,AGED 34 YEARS,D/O.MEERAN KHAN,
THAJ MANZIL, KUMMANANM P.O.,KOTTAYAM-686002.**

**R1 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH.
R2 BY ADV.SRI.SERGI JOSEPH THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

CrI.MC.No.1492 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEXURE A1:THE TRUE COPY OF THE CHARGE SHEET IN CC NO.346/2008 ON
THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I
MAVELIKARA.**

**ANNEXURE A2:THE TRUE COPY OF THE COMPROMISE AGREEMENT ENTERED
BETWEEN THE THIRD PETITIONER AND THE SECOND
RESPONDENT.**

**ANNEXURE A3:AN AFFIDAVIT SWORN BY THE SECOND RESPONDENT STATING
THE SETTLEMENT OF ALL THE DISPUTES.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

K. ABRAHAM MATHEW, J.

Crl.M.C. No.1492 of 2015

Dated this the 25th day of June 2015

ORDER

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

2. The 3rd petitioner and the 2nd respondent are husband and wife. The other petitioners are his parents. The petitioners are accused in C.C. No.346 of 2008 on the file of the Judicial First Class Magistrate Court-I, Mavelikkara. They are alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec.498A read with Sec.34 of the Indian Penal Code. 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. The parties are close relatives. I am satisfied that the matter has been settled and 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.346 of 2008 on the file of the Judicial First Class Magistrate Court-I, Mavelikkara are quashed.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge