

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

Crl.MC.No. 1539 of 2015 ()

**CC.NO. 1283/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, CHAVAKKAD
CRIME NO. 111/2014 OF PAVARATTY POLICE STATION, THRISSUR DISTRICT**

PETITIONER/ACCUSED NOS.1 TO 4 :

- 1. AFSAL, AGED 25 YEARS
S/O.YOOSUF, VENKITANGU VILLAGE,
CHAVAKKAD TALUK, THRISSUR DISTRICT.**
- 2. YOOSUF,
S/O.ABDUL RAHMAN HAJI, PANIKKAVEETIL HOUSE
VENKITANGU VILLAGE, CHAVAKKAD TALUK,
THRISSUR DISTRICT**
- 3. AMINAKKUTTY,
AGED 54 YEARS, W/O.YOOSUF,
PANIKKAVEETIL HOUSE, VENKITANGU VILLAGE
CHAVAKKAD TALUK, THRISSUR DISTRICT.**
- 4. NABEEL,
AGED 31 YEARS, S/O.YOOSUF,
PANIKKAVEETIL HOUSE, VENKITANGU VILLAGE
CHAVAKKAD TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.M.DINESH

RESPONDENTS/STATE & COMPLAINANT :

- 1. FATHIMA SHEHASADI,
AGED 22 YEARS, D/O.ABOOBACKAR,
MATHILAKATH HOUSE, PERINGADU
MULLASSERY VILLAGE, CHAVAKKAD TALUK
THRISSUR DISTRICT.**
- 2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM.**

R1 BY ADV. SRI.M.PREMCHAND

R2 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 06-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 1539 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE A: TRUE COPY OF THE COMPLAINT FILED BY THE 1ST
RESPONDENT BEFORE THE JFCM COURT, CHAVAKKAD.**

**ANNEXURE B: TRUE COPY OF THE FINAL REPORT SUBMITTED BY
PAVARATTY POLICE BEFORE THE JFCM COURT, CHAVAKKAD.**

ANNEXURE C: AFFIDAVIT SWORN IN BY THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

Crl.M.C. No.1539 of 2015

Dated this the 6th day of July 2015

O R D E R

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

2. The 1st petitioner and the 1st respondent are husband and wife. The other petitioners are his parents and brother. The petitioners are accused in C.C. No.1283 of 2014 on the file of the Judicial First Class Magistrate Court, Chavakkad. They are alleged to have subjected the 1st respondent to cruelty and misappropriated her properties and thus committed the offences under Secs.406 and 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 1st respondent and the learned Public Prosecutor.

4. The 1st respondent has filed an affidavit to the effect that the dispute between the parties 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.1283 of 2014 on the file of the Judicial First Class Magistrate Court, Chavakkad are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge