

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Crl.MC.No. 1623 of 2015 ()

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CC. NO.2224/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, CHAVAKKAD
CRIME NO. 1354/2014 OF CHAVAKKAD POLICE STATION.
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PETITIONERS/ACCUSED:

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- 1. MUHAMMED ALI, AGED 35 YEARS,
S/O.UMMER, VALIYAKATH HOUSE, ORUMANAYUR AMSOM,
DESOM, CHAVAKKAD TALUK, THRISSUR DISTRICT.**
 - 2. AMINAKUTTY, AGED 65 YEARS,
W/O.UMMER, VALIYAKATH HOUSE, ORUMANAYUR AMSOM,
DESOM, CHAVAKKAD TALUK, THRISSUR DISTRICT.**
 - 3. MUHAMMED HANEEFA, AGED 45 YEARS,
S/O.UMMER, VALIYAKATH HOUSE, ORUMANAYUR AMSOM,
DESOM, CHAVAKKAD TALUK, THRISSUR DISTRICT.**
 - 4. SABIRA, AGED 39 YEARS,
W/O.MUHAMMED HANEEFA, VALIYAKATH HOUSE,
ORUMANAYUR AMSOM, DESOM, CHAVAKKAD TALUK,
THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT.

RESPONDENTS/STATE/DEFACTO COMPLAINANT:

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- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
 - 2. SAYANA, AGED 24 YEARS,
D/O.ABDUL RASHEED, POKKAKKILATH HOUSE,
KODAPUZHA, EAST CHALAKUDY,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT-680 307.**

**R1 BY PUBLIC PROSECUTOR SMT.REMA. R.
R2 BY ADV. SRI.V.V.JOY.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A : TRUE COPY OF THE FINAL REPORT IN CRIME NO.1354/2014
OF THE CHAVAKKAD POLICE STATION.**

**ANNEXURE B : TRUE COPY OF THE ORDER BY THE FAMILY COURT,
IRINJALAKUDA IN OP.NO.1421/2012 DT. 29.01.2015.**

**ANNEXURE C : TRUE COPY OF THE AFFIDAVIT FILED BY THE
2ND RESPONDENT.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

CRL.M.C.No.1623 of 2015

Dated this the 26th day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. The petitioner and the second respondent are husband and wife. The other petitioners are his mother and other relatives. The petitioners are the accused in CC.No.2224/2014 on the file of the Judicial First Class Magistrate Court, Chavakkad. They are alleged to have subjected the second respondent to cruelty and misappropriated her properties and thus committed the offences under Sections 498A and 406 of 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 second respondent and the learned Public Prosecutor.

4. The 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 CC.No.2224/2014 on the file of the Judicial First Class Magistrate Court, Chavakkad. are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge