

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

Crl.MC.No. 2211 of 2015

**CC 1750/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-V, KOZHIKODE
CRIME NO. 349/2014 OF BEYPORE POLICE STATION , KOZHIKODE**

PETITIONER(S):

1. **BADARUL MUNEER, AGED 29 YEARS
S/O.MOOSAKOYA, KADAVATH, ELATHOOR P.O
KOZHIKODE DISTRICT.**
2. **MOOSAKOYA, S/O.ATHRUMAN, AGED 60 YEARS,
KADAVATH, ELATHOOR P.O, KOZHIKODE DISTRICT.**
3. **RAZIYA, W/O.MOOSAKOYA, AGED 51 YEARS,
KADAVATH, ELATHOOR P.O, KOZHIKODE DISTRICT.**
4. **SAHLA, D/O.MOOSAKOYA, AGED 26 YEARS,
KADAVATH, ELATHOOR P.O, KOZHIKODE DISTRICT.**
5. **JAMSHEERA, W/O.MARSOOK, AGED 27 YEARS,
KOTHIYIL HOUSE, KANISAMKANDI PARAMBU
CHALIYAM P.O. KOZHIKODE DISTRICT.**
6. **MARSOOK, S/O.KASSIM, AGED 36 YEARS,
KOTHIYIL HOUSE, KANISAMKANDI PARAMBU,
CHALIYAM P.O. KOZHIKODE DISTRICT.**

**BY ADVS.SRI.C.M.MOHAMMED IQUABAL
SMT.BHAVANA VELAYUDHAN**

RESPONDENT(S):

1. **STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
2. **K.P. SUFIRA, AGED 23 YEARS,
D/O.ASSAIN, KANISAMKANDI PARAMBU,
CHALIYAM P.O. KOZHIKODE DISTRICT-675002.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SMT.T.J.SEEMA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- ANNX.A1 - THE TRUE COPY OF THE COMPLAINT OF THE 2ND RESPONDENT
DATED 02-08-2014**
- ANNX.A2 - THE TRUE COPY OF THE CHARGE IN CRIME NO.349/2014 OF BEYPORE
POLICE STATION DATED 26.11.2014**
- ANNX.A3 - THE TRUE COPY OF THE MEMORANDUM OF EVIDENCE IN CRIME
NO.349/2014 OF BEYPORE POLICE STATION DATED 26.11.2014**
- ANNX.A4 - THE TRUE COPY OF THE AGREEMENT BETWEEN THE 1ST
PETITIONER AND THE 2ND RESPONDENT DATED 06.03.2015**
- ANNX.A5 - THE TRUE COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT DATED
06.03.2015**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

.....
Crl. M.C. No.2211 of 2015 (E)
.....

Dated this the 22nd day of May, 2015

ORDER

Petitioners are accused in Crime No. 349 of 2014 of Beypore Police Station. They stand charge with having committed the offences under sections 323, 406 and 498A IPC in C.C. No. 1750 of 2014 on the file of Judicial Magistrate of the First Class -V, Kozhikode. The first petitioner is the husband of the second respondent. Petitioners 2 and 3 are his parents and petitioner No. 4 is his sister and the other petitioners his brothers-in-law. It is submitted that the dispute has been settled. The prayer is to quash the proceedings in the criminal case.

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

3. The second respondent has filed an affidavit to 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 allegations are true. No public interest is involved in this matter.

In the result, the application is allowed. The proceedings in C.C. No. 1750 of 2014 on the file of the Judicial Magistrate of First Class-V, Kozhikode are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. o Judge