

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Crl.MC.No. 2243 of 2015 ()

CRIME NO. 368/2014 OF PALODE POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED:

**BIJU SHAMSUDEEN, AGED 39 YEARS,
S/O.SHAMSUDEEN KUNJU,
EDAPPALLIYIL PUTHEN VEEDU, EDAPPALLIKOTTA P.O.,
KARUNAGAPPALLY, KOLLAM-690 544**

BY ADV. SRI.A.S.SHAMMY RAJ

RESPONDENT(S):

**1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

**2. AISHA MOL, AGED 32 YEARS, D/O.MUHAMMED SALI,
AISHA MANZIL, VANCHUVAM, NEDUMANGADU,
THIRUVANANTHAPURAM-695 562**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.K.RAJESH KANNAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 2243 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX.1 - CERTIFIED COPY OF THE FIRST INFORMATION REPORT IN CRIME
NO.368/2014 OF PALODE POLICE STATION**

**ANNEX.2 - TRUE COPY OF THE COMPROMISE AGREEMENT ENTERED INTO
BETWEEN THE PARTIES**

ANNEX.3 - COMPROMISE AFFIDAVIT SWORN BY THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.2243 of 2015

Dated this the 23rd day of June 2015

O R D E R

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

2. The petitioner and the 2nd respondent are husband and wife. The petitioner is accused in Crime No.368 of 2014 of Palode Police station. He is alleged to have subjected the 2nd respondent to cruelty and thus committed the offence under Sec. 498A 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 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. 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 Crime No.368 of 2014 of Palode Police station are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge