

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Crl.MC.No. 2244 of 2015

**CC 755/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, MANJERI.
CRIME NO. 733/2013 OF KONDOTTY POLICE STATION, MALAPPURAM DISTRICT.**
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PETITIONER(S)/ACCUSED:

- 1. ABDUL LATHEEF, AGED 40 YEARS,
S/O.MOIDEEN KOYA, KOODARAM VEEDU,
THURAKKAL P.O. KONDOTTY.**
- 2. SWAPNA JASMIN, AGED 37 YEARS, W/O.JAMAAL,
KOODARAM VEEDU, THURAKKAL P.O, KONDOTTY.**
- 3. MARIYUMMA, AGED 53 YEARS,W/O.MOIDEEN KOYA,
KOODARAM VEEDU, THURAKKAL P.O, KONDOTTY.**

BY ADV. SRI.P.SAMSUDIN

RESPONDENT(S)/STATE AND DE-FACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. MUNEERA, D/O.ALIKUTTY, AGED 28 YEARS,
NADUVILKANDY HOUSE, PULLIKKADAVU,
PERUMUGHAM P.O - 673324,
KUNDOTTY TALUK, IN MALAPPURAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.K.C.ANTONY MATHEW**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A1 - CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.733/2013
OF KONDOTTY POLICE STATION.**

**ANNEXURE A2 - THE AFFIDAVIT DATED 07-02-2015 SWORN IN BY THE
2ND RESPONDENT.**

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

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Dated this the 22nd day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. The first petitioner is the husband of the second respondent. The other petitioners are his sister and mother. The petitioners are accused in C.C. No.755 of 2014 on the file of the Judicial First Class Magistrate-I, Manjeri. 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 IPC. 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

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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 C.C. No.755 of 2014 on the file of the Judicial First Class Magistrate-I, Manjeri are quashed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

//True copy//

P.A. To Judge