

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

Crl.MC.No. 2501 of 2015

**CC 1107/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, VATAKARA
CRIME NO. 546/2014 OF VATAGARA POLICE STATION , KOZHIKODE**

PETITIONER(S)/ACCUSED:

1. K.C.RAZAK, AGED 31 YEARS
S/O IBRAHIM, KUNNATH CHIRAYIL, SHABANA MANZIL,
VANDIYALA, MOWNCHERY POST, KANNUR DISTRICT.
2. JAMEELA, AGED 51 YEARS,
W/O IBRAHIM, KUNNATH CHIRAYIL, SHABANA MANZIL,
VANDIYALA, MOWNCHERY POST, KANNUR DISTRICT.

BY ADV. SRI.P.K.RAVISANKAR

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM. 682 031.
2. MOUSHI, AGED 24 YEARS,
D/O MUHAMMED ALI, "CHAITRAM", ORKATTERI POST,
KOZHIKODE DISTRICT- 673001.

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.D.ANIL KUMAR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 2501 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A TRUE COPY OF THE FINAL REPORT IN C.C. NO. 1107 OF 2014 ON THE
FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT, VATAKARA**

**ANNEXURE B TRUE COPY OF THE AFFIDAVIT DATED 19-1-2015 OF THE 2 ND
RESPONDENT**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

CRL.M.C.No.2501 OF 2015

Dated this the 29th day of May, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. First petitioner is the husband of the second respondent and the second petitioner is his mother. They are accused in C.C.No.1107/2014 on the file of the Judicial First Class Magistrate Court, Vatakara. They are alleged to have subjected the second respondent to cruelty and thus committed the offences under Sections 406 and 498(A) 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 C.C.No.1107/2014 on the file of the Judicial First Class Magistrate Court, Vatakara is quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge