

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.2592 of 2015

**CC NO.554/2011 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I,ALUVA.
CRIME NO.197/2011 OF ALUVA EAST POLICE STATION,ERNAKULAM.**

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PETITIONERS/ACCUSED NO'S 1 TO 3:

1. **MAHEENKUTTY,AGED 34 YEARS,
MUTTUNGAL HOUSE,KUNNATHERY BHAGAM,
THAIKKATTUKARA,ALUVA WEST VILLAGE,
ALUVA TALUK,ERNAKULAM DISTRICT,PIN-683106.**
2. **FATHIMA,AGED 59 YEARS,W/O.ALI,
MUTTUNGAL HOUSE,KUNNATHERY BHAGAM,
THAIKKATTUKARA,ALUVA WEST VILLAGE,
ALUVA TALUK,ERNAKULAM DISTRICT,PIN-683106.**
3. **SABEENA,AGED 31 YEARS,W/O.SIDHIQUE,
ELLUMPARAMBIL HOUSE,KUNNATHERY BHAGAM,
CHENGAMANAD VILLAGE,ALUVA TALUK,
ERNAKULAM DISTRICT,PIN-683578.**

BY ADV.SRI.P.A.MUJEEB

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

1. **THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.**
2. **RAJEENA,AGED 26 YEARS,D/O.REHIM,
ALAPPAT VEETIL,KURAMALLOOR KARA,
KURUMALLOOR VILLAGE,PARAVUR TALUK,
ERNAKULAM DISTRICT,PIN-683513.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.
R2 BY ADV.SRI.ANVER BASHEER.**

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

pk

Crl.MC.No.2592 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEX A-1:PHOTO COPY OF THE F.I.R IN CRIME NO.197/2011 OF ALUVA EAST
POLICE STATION,ERNAKULAM DISTRICT.**

**ANNEX A-2:PHOTO COPY OF THE CHARGE SHEET IN C.C NO.554/2011 OF THE
HON'BLE JUDICIAL FIRST CLASS MAGISTRATE COURT-1,ALUVA.**

ANNEX A-3:AFFIDAVIT SWORN BY THE 2ND RESPONDENT

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

K. ABRAHAM MATHEW, J.

CRL.M.C.No.2592 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. The second petitioner is his mother and the third petitioner is his sister. They are accused in C.C.No.554/2011 on the file of the Judicial First Class Magistrate Court, Aluva. They are alleged to have subjected the second respondent to cruelty and thus committed the offences under Sections 498(A), 406 read with 34 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.554/2011 on the file of the Judicial First Class Magistrate Court, Aluva is quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge