

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. 2694 of 2015 ()

CC 1560/2006 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I,ATTINGAL

PETITIONERS/A1 TO A6 :

- 1. BIJU SALI, AGED 43 YEARS,
S/O.O.M.SALI, KARUVAMOODU VEEDU, MADANVILA,
PERUMATHURA, MADANVILA DESOM, AZHOOR VILLAGE,
THIRUVANANTHAPURAM.**
- 2. SAINABA BEEVI, AGED 68 YEARS,
D/O.SALIHA UMMAL, KARUVAMOODU VEEDU, MADANVILA
PERUMATHURA, MADANVILA DESOM, AZHOOR VILLAGE,
THIRUVANANTHAPURAM.**
- 3. SAJEENA,
D/O.SAINABA BEEVI, AL-FAJAR MANZIL,
KARUMTHALACODE DESOM, NILEMEL VILLAGE,
KOTTARAKKARA TALUK, KOLLAM DISTRICT.**
- 4. SANOJ SALI, AGED 40 YEARS,
S/O.O.M.ALI, KARUVAMOODU VEEDU, MADANVILA,
PERUMATHURA, MADANVILA, MADANVILA DESOM
AZHOOR VILLAGE, THIRUVANANTHAPURAM.**
- 5. SAHIRSHA, AGED 44 YEARS,
S/O.ABDUL JABBAR, AL-FAJAR MANZIL,
KARUMTHALACODE DESOM, NILEMEL VILLAGE,
KOTTARAKKARA TALUK, KOLLAM DISTRICT.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENTS/STATE :

- 1. STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KADINAMKULAM POLICE STATION
REPRESENTED THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERANAKULAM.**

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**2. FASILA BEEVI, AGED 35 YEARS,
D/O.LAILA BEEVI, PUTHUVAL VILA VEEDU,
NEAR VENGODE MUSLIM MOSQUE, VENGODE DESOM
KEEZHTHONAKKAL VILLAGE, KUDAVOOR P.O.
THIRUVANANTHAPURAM, PIN: 695 313.**

**R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATNEW MANJOORAN
R2 BY ADV. SRI.A.K.RAJESH**

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

bp

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A: CERTIFIED COPY OF THE FINAL REPORT IN C.C NO.1560/2006
ON THE FILE OF THE JUDICIAL 1ST CLASS MAGISTRATE
COURT-II, ATTINGAL**

ANNEXURE B: AFFIDAVIT EXECUTED BY THE 2ND RESPONDENT/CW1

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

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Crl. M.C.No. 2694 of 2015 (D)
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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 other petitioners are his close relatives. They are accused in C.C. No. 1560 of 2006 on the file of the Judicial First Class Magistrate-I, Attingal. They are alleged to have subjected her to cruelty and thus committed the offences u/ss. 498A and 406 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. Head 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.

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In the result, this Crl. M.C. is allowed. The proceedings in C.C. No. 1560 of 2006 on the file of the Judicial First Class Magistrate-I, Attingal are quashed.

DST

Sd/-
K. ABRAHAM MATHEW
JUDGE

//True Copy//

P.A. to Judge