

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Crl.MC.No. 2801 of 2015 ()

CC.NO. 671/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MANANTHAVADY

PETITIONERS/ACCUSED 2 TO 4 :

- 1. SAIDALAVI, S/O HYDRU, AGED 57 YEARS,
KODAKKADAN HOUSE, MELMURI.P.O.,
MALAPPURAM DISTRICT.**
- 2. MYMOONA, AGED 49 YEARS,W/O.SAIDALAVI,
KODAKKADAN HOUSE, MELMURI.P.O.,
MALAPPURAM DISTRICT.**
- 3. MUHAMMED MUSTHAFA, AGED 30 YEARS,
S/O.SAIDALAVI, KODAKKADAN HOUSE, MELMURI.P.O.,
MALAPPURAM DISTRICT.**

BY ADV. SRI.ESM.KABEER

RESPONDENTS/COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
PANAMARAM POLICE STATION, WAYANAD DISTRICT-670 721.**
- 3. FOUSIYA, AGED 28 YEARS, D/O MAMMOOTTY,
PILAKKANDY HOUSE, ANCHUKKUNNU POST,
MANANTHAVADY TALUK, WAYANAD DISTRICT-670 645.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 2801 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX A1 TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE JUDICIAL
1ST CLASS MAGISTRATE COURT NO.1 MANANTHAVADY
(CC NO.671/2013) AND TYPED COPY**

ANNEX-A2 TRUE COPY OF THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.2801 of 2015

Dated this the 25th day of June 2015

ORDER

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

2. The 3rd petitioner and the 3rd respondent are husband and wife. The other petitioners are his parents. The petitioners are accused in C.C. No.671 of 2013 on the file of the Judicial First Class Magistrate Court-I, Mananthavady. They are alleged to have subjected the 3rd respondent to cruelty and assaulted her and thus committed the offences under Secs.498A and 323 read with Sec.34 of the 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 3rd respondent and the learned Public Prosecutor.

4. The 3rd 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 C.C. No.671 of 2013 on the file of the Judicial First Class Magistrate Court-I, Mananthavady are quashed.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge