

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. 2923 of 2015

**-----
CC 2536/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOLLAM.**

PETITIONERS/ACCUSED NO.2,3 & 4:

- 1. NOORJAHAN, AGED 52 YEARS,
SHAMLA MANZIL, ERAVIPURAM VILLAGE,
KOLLAM TALUK, KOLLAM DISTRICT.**
- 2. SADIK, AGED 34 YEARS,
S/O. ABDUL RAHIM, SHAMLA MANZIL,
ERAVIPURAM VILLAGE, KOLLAM TALUK,
KOLLAM DISTRICT.**
- 3. SHAMLA, AGED 31 YEARS, D/O. NOORJAHAN,
SHAMLA MANZIL, ERAVIPURAM VILLAGE
KOLLAM TALUK, KOLLAM DISTRICT.**

**BY ADVS.SRI.R.MOHANA BABU
SRI.M.AJITH (KARICODE)**

RESPONDENTS/DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUMAIYA, D/O. JAMEELA, AGED 27 YEARS,
PANTHEERAZHIGAM HOUSE,
ERAVIPURAM VILLAGE, KOLLAM TALUK,
KOLLAM DISTRICT - 691 001.**

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

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

mbr/

APPENDIX

ANNEXURE A- A TRUE COPY OF THE PRIVATE COMPLAINT CMP 6234/2009 OF JFCM-II, KOLLAM.

ANNEXURE B- A TRUE COPY OF FIR DATED 09-10-2009 REGISTERED BY ERAVIPURAM POLICE.

**ANNEXURE C- CERTIFIED COPY OF FINAL CHARGE SHEET OF ERAVIPURAM
POLICE FILED BEFORE JFCM-II, KOLLAM AND PENDING
AS CC 2536/2010.**

/TRUE COPY/

P.S. TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

=====

Crl. M.C.No. 2923 of 2015

=====

Dated this the 29th day of May, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. Petitioners are accused 2, 3 and 4 in C.C. No. 2536 of 2010 on the file of the Judicial Magistrate of the First Class-II, Kollam. They are alleged to have committed the offences under sections 294(b), 323, 324 and 498A read with 34 IPC. The prayer is to quash the proceedings on the ground that the allegations are false.

3. Heard.

4. If the materials relied on by the prosecution do not disclose any commission of offences by the petitioners, they may plead for their discharge. Whether the allegations are false or not, is a matter to be established at the trial. The Crl M.C. filed for quashing the proceedings on the above grounds is not maintainable.

In the result, this Crl. M.C. is dismissed.

Sd/-

**K. ABRAHAM MATHEW
JUDGE**

DST

//True Copy//

P.A. to Judge