

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. 2940 of 2015

CRIME NO. 326/2012 OF NARAKKAL POLICE STATION , ERNAKULAM

PETITIONER(S)/ACCUSED NO.1 IN CR.NO.326/2012 OF NARAKKAL POLICE STATION.:

1. AYOOB, S/O.LATE SAIDU MOHAMMED,
THIRUVANKODAN HOUSE, EDAVANAKKAD PO, KOCHI TALUK,
ERNAKULAM DISTRICT-682 502.
2. ANWAR, S/O.LATE SAIDU MOHAMMED,
THIRUVANKODAN HOUSE, EDAVANAKKAD PO, KOCHI TALUK,
ERNAKULAM DISTRICT-682 502.
3. SABIRA ANWAR,
W/O.ANWAR, THIRUVANKODAN HOUSE, EDAVANAKKAD PO
KOCHI TALUK, ERNAKULAM DISTRICT-682 502.
4. RAZIYA SAIDU MOHAMMED,
W/O.LATE SAIDU MOHAMMED, THIRUVANKODAN HOUSE
EDAVANAKKAD PO, KOCHI TALUK,
ERNAKULAM DISTRICT-682 502.

**BY ADVS.SRI.C.ANILKUMAR (KALLESSERIL)
SRI.C.Y.VINOD KUMAR**

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
NARAKKAL POLICE STATION-CR.NO.326/2011
OF NARAKKAL POLICE STATION),
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. SABNA, AGED 28 YEARS,
D/O.K.H.ABDUL RAHIM, KONGARASSERY HOUSE,
EDAVANAKKAD PO, KOCHI TALUK,
ERNAKULAM DISTRICT-682 502.

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.JELSON J.EDAMPADAM**

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

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1 : TRUE COPY OF THE COMPLAINT DATED 23-2-2012 FILED BY THE
2ND RESPONDENT BEFORE THE JUDICIAL FIRST CLASS
MAGISTRATE'S COURT-I, KOCHI, NOW ON THE FILE OF THE
JUDICIAL FIRST CLASS MAGISTRATE'S COURT, NARAKKAL.**

**ANNEXURE A2 : TRUE COPY OF THE FIR IN CR.NO.326/2012 REGISTERED
ON 24-2-2012 BY THE SUB INSPECTOR OF POLICE, NARAKKAL
STATION, AND FILED BEFORE THE JUDICIAL FIRST CLASS
MAGISTRATE'S COURT, NARAKKAL.**

**ANNEXURE A3 : AFFIDAVIT SWORN IN BY THE 2ND RESPONDENT/DEFACTO
COMPLAINANT DATED 9-4-2015.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

CRL.M.C.No.2940 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 other petitioners are his close relatives. They are accused in C.C.No.340/2014 on the file of the Judicial First Class Magistrate Court, Angamaly. They are alleged to have subjected the second respondent to cruelty and thus committed the offences under Sections 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 CrI.M.C is allowed. The proceedings in Crime No.326/2012 of Narakkal Polcie Station and all further proceedings taken against the petitioners on the file of the Judicial First Class Magistrate Court, Narakkal, Ernakulam are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge