

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

Crl.MC.No. 2949 of 2015

**CC 826/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KUNNAMANGALAM
CRIME NO. 165/2005 OF KUNNAMANGALAM POLICE STATION , KOZHIKODE**

PETITIONER(S)/ACCUSED:

**ABDUL SALEEM, AGED 37 YEARS,
S/O.ABOOBACKER, ERANGHIKOTH VEEDU,
THALAPERUMANNA AMSOM, ERANGHOKOTH.**

BY ADV. SRI.S.KANNAN

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

**1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

**2. SAIFUNNISA, AGED 30 YEARS,
D/O.HAMZA, ARIYIL HOUSE, MADAVOOR AMSOM DESOM,
THAMARASSERY TALUK, KOZHIKODE DISTRICT**

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**R2 BY ADVS. SRI.K.M.FIROZ
SMT.M.SHAJNA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1: A TRUE COPY OF THE FINAL REPORT NO.100 OF 2005 OF
KUNNAMANGALAM POLICE STATION**

**ANNEXURE A2: TRUE COPY OF THE AFFIDAVIT SWORN BY THE SECOND
RESPONDENT IN CRIME NO.165/2005 OF KUNNAMANGLAM POLICE
STATION KOZHIKODE, NOW LEADING TO CC NO.826/2012 PENDING
BEFORE JUDICIAL FIRST CLASS MAGISTRATE COURT,
KUNNAMANGALAM.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.
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Dated this the 1st day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. First petitioner is the husband of the second respondent. The petitioner is the accused in C.C. No. 826 of the 2012 on the file of the Judicial First Class Magistrate, Kunnamangalam. He is charged with having committed the offences under sections 406 and 498A 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. Heard the learned counsel for the petitioner 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

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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. 826 of the 2012 on the file of the Judicial First Class Magistrate, Kunnamangalam are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge