

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

Crl.MC.No. 2981 of 2015

CC 1412/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, TIRUR

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PETITIONER(S)/ACCUSED 1 TO 3 IN CC.1412/2014 OF JFCM, TIRUR:

1. MUHAMMED NISSAR, AGED 27 YEARS,
S/O.ABDUL KHADER, RESIDING AT MAMMUNIYAKATH HOUSE,
THAZHATHARA, TIRUNAVAYA, TIRUR TALUK,
MALAPPURAM - 676 301.
2. FATHIMA, AGED 60 YEARS,
W/O.ABDUL KHADER, RESIDING AT MAMMUNIYAKATH HOUSE,
THAZHATHARA, TIRUNAVAYA, TIRUR TALUK,
MALAPPURAM - 676 301.
3. RAHEENA,
D/O.ABDUL KHADER, RESIDING AT MAMMUNIYAKATH HOUSE,
THAZHATHARA, TIRUNAVAYA, TIRUR TALUK,
MALAPPURAM - 676 301.

BY ADVS.SRI.NIRMAL V NAIR
SRI.ANEESH JOSEPH
SRI.RILGIN V.GEORGE
SRI.M.ANEESH

RESPONDENT(S)/DE FACTO COMPLAINANT AND COMPLAINANT:

1. FAIROOSA M.K.,
D/O.ABDUL RAHMAN, RESIDING AT MAVUM KUNNATH HOUSE,
EDAKKULAM, THIRUNAVAYA P.O., TIRUR TALUK,
MALAPPURAM DISTRICT - 676 301.
2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

R1 BY ADV. SRI.RAHUL SASI
R2 BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
15-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 2981 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A1: CERTIFIED COPY OF THE FINAL REPORT IN CC.1412/2014 ON THE
FILE OF THE JUDICIAL MAGISTRATE OF FIRST CLASS, TIRUR.**

ANNEXURE A2:A TRUE COPY OF THE AFFIDAVI SWORN BY THE 1ST RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. ABRAHAM MATHEW, J.

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Crl. M.C. No. 2981 of 2015

Dated this the 15th day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. The petitioner and the first respondent are husband and wife. The other petitioner are his mother and sister. The petitioners are accused in C.C. No.1412 of 2014 on the file of the Judicial First Class Magistrate, Tirur. They are alleged to have subjected the first respondent to cruelty and misappropriated her properties and thus committed the offences under sections 498A and 406 of 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 petitioners and for the first respondent and the learned Public Prosecutor.

4. The first 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

Crl. M.C. No. 2981 of 2015

::2::

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 Crl. M.C. is allowed. The proceedings in C.C. No.1412 of 2014 on the file of the Judicial First Class Magistrate, Tirur are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge