

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Crl.MC.No. 3029 of 2015

**C.C.NO.2594/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, CHITTUR,
PALAKKAD**

**FINAL REPORT/CHARGE SHEEDT NO.752/2013 OF CHITTUR POLICE STATION ,
PALAKKAD**

PETITIONER(S)/ACCUSED 1 TO 5:

- 1. MUJEEB RAHMAN, AGED 28 YEARS,
S/O.ISMAIL SAHIB, AVM KALYANAMANDAPAM,
NELLIYAMKUNNATHU, ALATHUR, PALAKKAD DISTRICT.**
- 2. HAJIRA, AGED 64 YEARS,
W/O.ISMAIL SAHIB, AVM KALYANAMANDAPAM,
NELLIYAMKUNNATHU, ALATHUR, PALAKKAD DISTRICT.**
- 3. AYOOB I, AGED 37 YEARS,
S/O.ISMAIL SAHIB, AVM KALYANAMANDAPAM,
NELLIYAMKUNNATHU, ALATHUR, PALAKKAD DISTRICT.**
- 4. MUJMINA, AGED 32 YEARS,
D/O.ISMAIL SAHIB, AVM KALYANAMANDAPAM,
NELLIYAMKUNNATHU, ALATHUR, PALAKKAD DISTRICT.**
- 5. AYSHA P.A., AGED 27 YEARS,
W/O.AYOOB.I, AVM KALYANAMANDAPAM,
NELLIYAMKUNNATHU, ALATHUR, PALAKKAD DISTRICT.**

BY ADV. SRI.U.BALAGANGADHARAN

RESPONDENT(S)/DE FACTO COMPLAINANT/COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM-682 031.**
- 2. RUBIA, AGED 25 YEARS,
W/O.MUJEEB RAHMAN, AVM KALYANAMANDAPAM,
NELLIYAMKUNNATHU, ALATHUR, PALAKKAD DISTRICT-678 541.**
- 3. SUB INSPECTOR OF POLICE,
CHITTUR POLICE STATION, CHITTUR, PALAKKAD-678 581.**

**R1 & R3 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.M.H.HANIL KUMAR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 27-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A1 : A TRUE CERTIFIED COPY OF FINAL REPORT NO.752/2013 ON
THE FILE CHITTUR POLICE STATION DATED 31-07-2013.**

**ANNEXURE A2 : A TRUE COPY OF ORIGINAL COMPROMISE INDENTURE
DATED 14-01-2015.**

**ANNEXURE A3 : A TRUE COPY OF ORIGINAL AFFIDAVIT DATED 14-02-2015
SWORN IN BY THE 2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3029 of 2015

Dated this the 27th day of May 2015

O R D E R

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

2. The 1st petitioner is the husband of the 2nd respondent. The 2nd petitioner is his mother and other petitioners are his close relatives. The petitioners are accused in C.C. No.2594 of 2013 on the file of the Judicial 1st Class Magistrate Court, Chittur. The prosecution allegation is that they subjected the 2nd respondent to cruelty demanding more dowry and thus committed the offence under Secs.498A read with Sec.34 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, the 2nd respondent and the learned Public Prosecutor.

4. The 2nd 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.2594 of 2013 on the file of the Judicial 1st Class Magistrate Court, Chittur are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge