

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

Cri.MC.No. 3032 of 2015

C.C.NO.117/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, ALUVA
CRIME NO. 4634/2014 OF ALUVA EAST POLICE STATION, ALUVA, ERNAKULAM

PETITIONER(S)/ACCUSED 1 & 2 :

- 1. THARISH, AGED 34 YEARS,
S/O.LATE P.B.ALI, PARIYARATHU HOUSE,
STANDARD APARTMENT, B11, COMPANY PADI, ALUVA-6.**
- 2. JASMINE ALI, AGED ABOUT 56 YEARS,
W/O.LATE P.B.ALI, PARIYARATHU HOUSE, STANDARD APARTMENT,
B11, COMPANY PADI, ALUVA-6.**

BY ADV. SRI.T.B.GAFOOR

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ALUVA EAST POLICE STATION, THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**
- 2. RIYANA, AGED 24 YEARS,
D/O.SALIM, VETTIKKAL HOUSE, ERATTUPPTTA,
KOTTAYAM DISTRICT-686 121.**

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.ABDUL JALEEL.A

**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:** CERTIFIED COPY OF THE FIR IN CRIME NO.4634/2014 OF ALUVA EAST POLICE STATION, ALUVA
- ANNEXURE-A2:** CERTIFIED COPY OF THE CHARGE SHEET IN ANNEXURE A1 FIR.
- ANNEXURE-A3:** TRUE COPY OF THE MEDIATION AGREEMENT.
- ANNEXURE-A4:** ORIGINAL OF THE AFFIDAVIT SWORN BY THE RESPONDENT NO.2/DEFACTO COMPLAINANT.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3032 of 2015

Dated this the 27th day of May 2015

ORDER

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. The petitioners are accused in C.C. No.117 of 2015 on the file of the Judicial 1st Class Magistrate Court-I, Aluva. 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

Crl.M.C. No.3032 of 2015 2

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.117 of 2015 on the file of the Judicial 1st Class Magistrate Court, Aluva are quashed.

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

NS

P.A. To Judge