

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

Crl.MC.No. 3065 of 2015 ()

CRIME NO. 1407/2014 OF KAYAMKULAM POLICE STATION, ALAPPUZHA

PETITIONERS/ACCUSED 1 TO 3 :

- 1. YASER LATHEEF, AGED 30 YEARS,
S/O. ABDUL LATHEEF, ARUGRAHA, CHERAVALLY MURI,
KAYAMKULAM VILLAGE, ALAPPUZHA DISTRICT.**
- 2. ABDUL LATHEEF, AGED 55 YEARS,
ANUGRAHA, CHERAVALLY MURI, KAYAMKULAM VILLAGE
ALAPPUZHA DISTRICT.**
- 3. RAFEEKA, AGED 50 YEARS,
W/O.ABDUL LATHEEF, CHERAVALLY MURI,
KAYAMKULAM VILLAGE, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.VINCENT JOSEPH
SRI.P.D.PAULY
SRI.P.S.ZAMEER**

RESPONDENTS/DEFACTO COMPLAINANT AND STATE :

- 1. SIYANA, AGED 24 YEARS,
W/O. YASER LATHEEF, SHIBANA MANZIL, R.C. CHURCH ROAD
KAYAMKULAM VILLAGE, ALAPPUZHA DISTRICT 690502**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R2 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER'S ANNEXURES :

**ANNEXURE A1: COPY OF THE FIR IN CRIME NO. 1407/2014 OF KAYAMKULAM
POLICE STATION DT 21/5/2014.**

**ANNEXURE A2: COPY OF THE AGREEMENT DT 20/1/2015 EXECUTED BY THE
1ST PETITIONER AND 1ST RESPONDENT**

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A TO JUDGE

bp

K. ABRAHAM MATHEW, J.

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Dated this the 5th 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 petitioners are his parents. The petitioners are accused in Crime No. 1407 of 2014 of Kayamkulam Police Station. They are alleged to have cheated the first respondent thus committed the offence under section 420 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 case. This is a fit case to invoke the jurisdiction of this Court under Section 482 Cr.P.C. to quash the proceedings

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in the criminal case.

In the result, this Crl. M.C. is allowed. The proceedings in Crime No. 1407 of 2014 of Kayamkulam Police Station are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge