

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

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

Crl.MC.No. 3147 of 2015

**C.C.NO.125/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
MALAPPURAM**

CRIME NO.514/2011 OF KOTTAKKAL POLICE STATION , MALAPPURAM

PETITIONER(S)/ACCUSED :

**KHALID KILIYAN PARAMBIL, AGED 35 YEARS,
S/O.ABDU, PUTHIYAKALAM JAMSHEENA MANZIL, PULPATTA POST,
ERNAD TALUK, MALAPPURAM.**

BY ADV. SRI.T.PRASAD

RESPONDENT(S)/CVOMPLAINANT & STATE :

**1. STATE,
REPRESENTED BY THE STATION HOUSE OFFICER,
KOTTAKKAL POLICE STATION, MALAPPURAM DISTRICT,
THROUGH THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.**

**2. SMT. RABIYA,
D/O.MUHAMMED, PULLAMBALAVAN HOUSE, KUZHIPURAM.
PUTHUR AMSOM, OTHUKKUNGAL POST, TIRURANGADI,
MALAPPURAM DISTRICT.**

**R1 BY GOVERNMENT PLEADER SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.A.HAROON RASHEED**

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

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

ANNEXURE-A1: THE TRUE COPY OF THE FIR IN CRIME NO.514/2011 OF KOTTAKKAL POLICE STATION PENDING BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, MALAPPURAM.

ANNEXURE-A2: THE TRUE COPY OF THE FINAL REPORT IN CRIME NO. 514/2011 OF KOTTAKKAL POLICE STATION PENDING BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, MALAPPURAM.

ANNEXURE-A3: THE TRUE COPY OF THE AFFIDAVIT EXECUTED BY THE 2ND RESPONDENT DATED 25/04/2015.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

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. Petitioner and the second respondent are husband and wife. He is the accused in C.C. No. 125 of 2012 on the file of the Judicial Magistrate of the First Class, Malappuram. He is alleged to have subjected the second respondent to cruelty and misappropriated her properties and thus committed the offences u/ss. 498A and 406 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. Head 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 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

Crl. M.C. No. 3147 of 2015

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C.C. No. 125 of 2012 on the file of the Judicial Magistrate of the First Class, Malappuram are quashed.

DST

Sd/-
K. ABRAHAM MATHEW
JUDGE

//True Copy//

P.A. To Judge