

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

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

Crl.MC.No. 3160 of 2015

C.C.NO.1176/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PERAMBRA

CRIME NO. 913/2014 OF PERAMBRA POLICE STATION , KOZHIKODE

PETITIONER(S)/ACCUSED :

- 1. SUBAIR, AGED 26 YEARS,
S/O.AMMED, KOTTAKUNNUMMAL HOUSE,
CHANGARAMVALLY, MEPPAYUR.**
- 2. KHADEEJA, AGED 42 YEARS,
W/O.AMMED, KOTTAKUNNUMMAL HOUSE,
CHANGARAMVALLY, MEPPAYUR.**
- 3. AMMED, AGED 50 YEARS,
S/O.MOIDEEN, KOTTAKUNNUMMAL HOUSE,
CHANGARAMVALLY, MEPPAYUR.**

BY ADV. SMT.K.DEEPA (PAYYANUR)

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SURIYYA, AGED 22 YEARS,
D/O.MOOSA. EDATHIKANDIMEETHAL HOUSE,
KAVUNTHARA AMSOM, KAVIL DESOM, NADUVANNUR,
KOYILANDY TALUK.**

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

R2 BY ADV. SMT.CELINE JOSEPH

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

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE I :** TRUE COPY OF THE FIR IN CRIME NO.913/2014 OF THE PERAMBRA POLICE STATION, KOZHIKODE.
- ANNEXURE II :** TRUE COPY OF THE AGREEMENT BETWEEN THE 1ST PETITIONER AND THE DE-FACTO COMPLAINANT/2ND RESPONDENT.
- ANNEXURE III :** TRUE COPY OF THE FINAL REPORT OF CRIME NO.913/2014 OF THE PERAMBRA POLICE STATION, KOZHIKODE.
- ANNEXURE IV :** AFFIDAVIT FILED BY THE 2ND RESPONDENT.

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. The first petitioner and the second respondent are husband and wife. The other petitioners are his parents. The petitioners are accused in C.C. No. 1176 of 2014 on the file of the Judicial First Class Magistrate, Perambra. They are alleged to have subjected the second respondent to cruelty and misappropriated her properties and thus committed the offences under section 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. Heard 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.

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In the result, this Crl. M.C. is allowed. The proceedings in C.C. No. 1176 of 2014 on the file of the Judicial First Class Magistrate, Perambra are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge