

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Crl.MC.No. 3177 of 2015 ()

CC.NO. 615/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, HOSDRUG
CRIME NO. 54/2014 OF BEKAL POLICE STATION, KASARAGOD

PETITIONERS/ACCUSED :

ABDUL RAHIM B.K., AGED 30 YEARS
S/O.LATE ABBAS HAJI, RIFAHYA MANZIL, ILYAS NAGAR
BEKAL, PALLIKKARA, KASARAGOD DISTRICT.

BY ADV. SRI.P.K.SUBHASH

RESPONDENTS/STATE/DEFACTO COMPLAINANT :

1. STATE - REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM – 682 031

2. AMEERA K., AGED 21 YEARS
D/O.HAMEED AND W/O.ABDUL RAHIMAN B.K.,
MOOLAKKANDAM HOUSE, AJANUR VILLAGE, AJANUR P.O.,
NEW RESIDING AT RIFAHYA MANZIL, ILYAS NAGAR, BEKAL
BEKAL PORT P.O., HOSDURG TALUK, KASARAGOD DISTRICT.

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

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

...2/-

Crl.MC.No. 3177 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE AI: A TRUE COPY OF THE FIR IN CRIME NO.54/2014 OF BEKAL
POLICE STATION, KASARAGOD DISTRICT.**

ANNEXURE AII: A TRUE COPY OF THE FINAL REPORT.

ANNEXURE AIII: THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3177 of 2015

Dated this the 2nd day of June 2015

O R D E R

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

2. The 1st petitioner and the 2nd respondent are husband and wife. The petitioners are accused in C.C. No.615 of 2014 on the file of the Judicial First Class Magistrate Court-II, Hosdurg. He is alleged to have subjected the 2nd respondent to cruelty and thus committed the offences under Secs.323, 341 and 498A 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 petitioner, 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.615 of 2014 on the file of the Judicial First Class Magistrate Court-II, Hosdurg are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge