

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. 3206 of 2015 ()

**CC.NO. 2171/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KUNNAMKULAM
CRIME NO. 1711/2014 OF KUNNAMKULAM POLICE STATION, TRISSUR**

PETITIONERS/ACCUSED:

- 1. NAUFAL ALI, AGED 28 YEARS
S/O. ABDUL REHMAN, PARAPURATH HOUSE, KANIPAYYUR DESOM
KANIPAYYUR VILLAGE, KUNNAMKULAM P.O.
TRICHUR DISTRICT - 680 503.**
- 2. ABDUL REHMAN,
S/O. HAIDROSE, PARAPURATH HOUSE, KANIPAYYUR DESOM
KANIPAYYUR VILLAGE, KUNNAMKULAM P.O.
TRICHUR - 680 503.**
- 3. SAJITHA, AGED 45 YEARS
W/O. ABDUL REHMAN, PARAPURATH HOUSE, KANIPAYYUR DESOM
KANIPAYYUR VILLAGE, KUNNAMKULAM P.O.
TRICHUR DISTRICT - 680 503.**

BY ADV. SRI.VINAY RAMDAS

RESPONDENTS/STATE AND DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
THROUGH THE SUB INSPECTOR OF POLICE
ERUMAPETTY POLICE STATION
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SALMA MOHAMMED SAGEER,
AGED 23 YEARS, W/O. NAUFAL ALI,
KADAVANGAT HOUSE, PERUMANA DESOM
THALAPILLY, TRICHUR-680 001.**

**R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.C.A.ANOOP**

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

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APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A1 : CERTIFIED COPY OF THE FIRST INFORMATION REPORT.

ANNEXURE A2 THE CERTIFIED COPY OF THE FINAL REPORT.

**ANNEXURE A3 AFFIDAVIT OF THE 2ND RESPONDENT/DEFACTO
COMPLAINANT.**

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

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K. ABRAHAM MATHEW, J.

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Dated this the 2nd day of June, 2015

O R D E R

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 petitioner is accused in C.C. No. 2171 of 2014 on the file of the Judicial Magistrate of the First Class, Kunnamkulam. 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 of 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 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

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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 C.C. No. 2171 of 2014 on the file of the Judicial Magistrate of the First Class, Kunnamkulam are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge