

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Crl.MC.No.3521 of 2015

**CC NO.126/2015 of CHIEF JUDICIAL MAGISTRATE COURT,KASARAGOD.
CRIME NO.558/2014 OF MANJESWAR POLICE STATION,KASARGOD.**

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PETITIONER'S/ACCUSED NOS 1 TO 5:

- 1. ZAMEER.M,AGED 34 YEARS,S/O.MOIDEEN ABBA,
RESIDING AT GUDDAKERI HOUSE,HOSEBETTU P.O,
MANJESHWAR TALUK,KASARAGOD DISTRICT.**
- 2. BEEFATHIMA,AGED 56 YEARS,W/O.MOIDEEN ABBA,
RESIDING AT GUDDAKERI HOUSE,HOSEBETTU P.O,
MANJESHWAR TALUK,KASARAGOD DISTRICT.**
- 3. MOIDEEN ABBA,AGED 70 YEARS,S/O.PALLI BEARY,
GUDDAKERI HOUSE,HOSEBETTU P.O,
MANJESHWAR TALUK,KASARAGOD DISTRICT.**
- 4. AYISHA,AGED 30 YEARS,W/O.HAMEED,RESIDING
NEAR CUSTOMS OFFICE,AYYARKATTA,MANJESHWAR TALUK,
KASARAGOD DISTRICT.**
- 5. NAZIR.M,AGED 26 YEARS,S/O.MOIDEEN ABBA,
RESIDING AT GUDDAKERI HOUSE,HOSEBETTU P.O,
MANJESHWAR TALUK,KASARAGOD DISTRICT.**

BY ADV. SRI.JAWAHAR JOSE

RESPONDENT'S/STATE,DEFACTO COMPLAINANT & INJURED:

- 1. THE STATE OF KERALA,REPRESENTED BY
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.**
- 2. RAZIYA,AGED 21 YEARS,D/O.IBRAHIM,RESIDING AT
PAVOOR VILLAGE,MANJESHWAR TALUK,
KASARAGOD DISTRICT,PIN-671121.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.
R2 BY ADV.SRI.V.VINAY MENON.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S ANNEXURES:

ANNEX A:THE CERTIFIED COPY OF FIR DATED 3.9.2014.

ANNEX B:THE TRUE COPY OF MEDIATORS REPORT DATED 26.9.2014.

**ANNEX C:THE TRUE COPY OF BAIL ORDER DATED 24.10.2014 IN C.M.P
NO.3458/2014 OF THE SESSIONS COURT,KASARAGOD.**

**ANNEX D:THE CERTIFIED COPY OF FINAL REPORT IN CRIME NO.558/2014
MANJESWARAM POLICE STATION DATED 15.2.2015.**

**ANNEX E:THE COPY OF AFFIDAVIT SWEARED BY THE 2ND RESPONDENT
EVIDENCING SETTLEMENT DATED 6.6.2015.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

K. ABRAHAM MATHEW, J.

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Dated this the 12th day of June 2015

O R D E R

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

2. The 1st petitioner is the husband of the 2nd respondent. The other petitioners are his parents and close relatives. The petitioners are accused in C.C. No.126 of 2015 on the file of Chief Judicial Magistrate Court, Kasaragod. They are charged with having committed the offences under Secs.498A read with Sec.34 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 petitioners and for 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

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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.126 of 2015 on the file of Chief Judicial Magistrate Court, Kasaragod are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge