

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. 3544 of 2015

**CC 1723/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - II, HOSDRUG
CRIME NO. 491/2010 OF CHANDERA POLICE STATION, KASARGOD**
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PETITIONER(S):

1. K.P.YUSUF, AGED 39 YEARS,
S/O.C.H.MUHAMMAD, KADAUTHA PURAYIL HOUSE,
P.O.KAWAYI, PAYYANNUR, KANNUR DISTRICT.
2. K.V.BEEVEI, AGED 60 YEARS,
W/O.C.H.MUHAMMAD, -DO-
3. SHAREEFA K.P., AGED 40 YEARS,
D/O.C.H.MUHAMMAD, -DO-
4. JAMEELA K.P., D/O.C.H.MUHAMMAD, -DO-
5. K.SUBAIDA, AGED 36 YEARS,
D/O.B.C.ABDULLA, B.C.HOUSE,
P.O.PADNE, KASARGOD DISTRICT.

BY ADV. SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

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

msv/

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE I: TRUE COPY OF THE FINAL REPORT OF CHANDERA POLICE STATION IN
CC.1723/2010 OF JFCM, HOSDURG.**

ANNEXURE II: TRUE COPY OF THE AFFIDAVIT OF 5TH PETITIONER.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3544 of 2015

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 5th petitioner. The other petitioners are his mother and sisters. Petitioners 1 to 4 are accused in C.C. No.1723 of 2010 on the file of the Judicial First Class Magistrate Court-I, Hosdurg. They are alleged to have subjected the 5th petitioner to cruelty and thus committed the offence under Sec.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 petitioners and the learned Public Prosecutor.

4. The 5th petitioner 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.1723 of 2010 on the file of the Judicial First Class Magistrate Court-I, Hosdurg are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge