

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

Crl.MC.No. 3658 of 2015 ()

**CC.NO. 11/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, ANDROTH, UNION
TERRITORY OF LAKSHADWEEP
CRIME NO. 16/2012 OF KAVARATTY POLICE STATION , UNION TERRITORY OF
LAKSHADWEEP**

PETITIONER/ACCUSED:

**SHAMEHAD KHAN, AGED 32 YEARS,
S/O.KOYA MURIKKAKADA, RESIDING AT MARIYAPPADA,
KALPENI ISLAND, UNION TERRITORY OF LAKSHADWEEP,
PIN-682 557.**

**BY ADVS.SRI.P.T.MANOJ
SMT.SINDHU S KAMATH**

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

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- 1. UNION TERRITORY OF LAKSHADWEEP,
REPRESENTED BY THE SPECIAL PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
 - 2. THANVEERA, AGED 32 YEARS,
D/O.N.P.KASMIKOYA, MAPPALLI HOUSE, WARD NO.IV,
KALPENI ISLAND, UNION TERRITORY OF LAKSHADWEEP,
PIN-682 557.**

**R1 BY ADV. SRI.S.RADHAKRISHNAN,SC,LAKSHADWEEP ADMN
R2 BY ADV. SRI.E.C.BINEESH**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 06-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 3658 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX 1 : A TRUE COPY OF THE CHARGE SHEET IN CRIME NO.16/2012 OF
KAVARATTY POLICE STATION, UNION TERRITORY OF LAKSHADWEEP.**

**ANNEX 2 : A TRUE COPY OF THE AFFIDAVIT SWORN BY 2ND RESPONDENT
DATED 8-6-2015.**

RESPONDENT(S)' ANNEXURES: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3658 of 2015

Dated this the 6th day of July 2015

O R D E R

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

2. The petitioner and the 2nd respondent are husband and wife. The petitioner is the accused in C.C. No.11 of 2013 on the file of the Judicial First Class Magistrate Court, Androth, Union Territaory of Lakshadweep. He is alleged to have subjected the 2nd respondent to cruelty, assaulted her and threatened her and thus committed the offences under Secs.498A, 323 and 506 of the 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 and for the 2nd respondent and the learned Public Prosecutor.

4. The 2nd respondent has filed an affidavit to the effect that the dispute between the parties 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.11 of 2013 on the file of the Judicial First Class Magistrate Court, Androth, Union Territaory of Lakshadweep are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge