

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Crl.MC.No. 3800 of 2015 ()

CC. NO.999/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, ALATHUR.

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PETITIONERS/ACCUSED NOS.1 AND 2:

- 1. SIDDIQ, AGED 32 YEARS,
S/O.YUSAF, LAKSHAM VEEDU,
KIZHAKKENCHERRY P.O., ALATHUR, PALAKKAD.**
- 2. NASEEMA, AGED 35 YEARS,
W/O.ABDUL REHMAN, FAISEL MANZIL VEEDU,
ANJUMOORTHYMANGALAM P.O., ALATHUR,
PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL).

RESPONDENTS/DEFACTO COMPLAINANT AND STATE:

- 1. SAFIYA, AGED 24 YEARS,
D/O.ABDUL REHMAN, THAKARAMADAKKAL HOUSE,
ADIPERANDA, NEMMARA, PALAKKAD-678 541.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

R1 BY ADV. SRI.P.M.RAFIQ.

R2 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

ANNEXURE A : THE CERTIFIED COPY OF THE FINAL REPORT IN
CRIME NO.1107/2014 OF VADAKKENCHERRY POLICE
STATION IN PALAKKAD DISTRICT IN CC.NO.999/2015 ON
THE FILE OF THE COURT OF JUDICIAL FIRST CLASS
MAGISTRATE, ALATHUR.

ANNEXURE B : AFFIDAVIT SWORN BY THE 1ST RESPONDENT HEREIN
EVIDENCING THE AFORESAID SETTLEMENT.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3800 of 2015

Dated this the 24rd day of June 2015

O R D E R

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

2. The 1st petitioner and the 1st respondent are husband and wife. The 2nd petitioner is his sister-in-law. The petitioners are the accused in C.C. No.999 of 2015 on the file of the Judicial First Class Magistrate Court, Alathur. They are alleged to have subjected the 1st respondent to cruelty and thus committed the offence under Sec.498A read with Sec.34 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 petitioners and for the 1st respondent and the learned Public Prosecutor.

4. The 1st 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.999 of 2015 on the file of the Judicial First Class Magistrate Court, Alathur are quashed.

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

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P.A. To Judge