

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Crl.MC.No. 3831 of 2015 ()

**S.C. NO.1163/2011 OF ASSISTANT SESSIONS COURT, KOTTARAKKARA.
CRIME NO. 934/2009 OF CHADAYAMANAGALAM POLICE STATION, KOLLAM DIST.**

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PETITIONERS/ACCUSED A1 TO 3:

- 1. NOUSHAD, AGED 51 YEARS,
S/O.ABDUL MUTHALEEF,
KONATHU MELATHIL VEEDU,
KURANGUVAYAL, KAITHODU MURI,
NILAMEL VILLAGE, KOTTARAKKARA TALUK,
KOLLAM DISTRICT.**
- 2. SUDHEER, AGED 28 YEARS,
S/O.THAJUDEEN, MANTHANADU PANAYIL VEEDU,
OLOORKONAM, KAITHODU MURI, NILAMEL VILLAGE,
KOTTARAKARA TALUK, KOLLAM DISTRICT.**
- 3. SUDHEER, AGED 37 YEARS,
S/O.ABDUL AZEEZ, HASEENA MANZIL,
EDAMULAKKAL MURI, EDAMULAKKAL VILLAGE,
KOTTARAKARA, KOLLAM DISTRICT.**

BY ADV. SRI.K.V.ANIL KUMAR.

RESPONDENTS/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
CHADAYAMANGALAM POLICE STATION,
KOLLAM DISTRICT.**
- 3. SHYLA BEEVI, AGED 37 YEARS,
W/O.NOUSHAD, KONATHU MELETHIL VEEDU,
KURANGUVAYAL, KAITHODU MURI, NILAMEL VILLAGE,
KOTTARAKARA TALUK, KOLLAM DISTRICT.**

**R1 & R2 BY PUBLIC PROSECUTOR SMT.REMA. R.
R3 BY ADV. SRI.P.VDILEEP.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A1 COPY OF THE CHARGE SHEET IN CRIME NO.934/2009 OF
CHADAYAMANGALAM POLICE STATION.**

ANNEXURE A2 AFFIDAVIT OF THE 3RD RESPONDENT.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

CRL.M.C.No.3831 of 2015

Dated this the 25th day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. The first petitioner and the third respondent are husband and wife. The other Petitioners are his brother and brother-in-law. The petitioners are the accused in S.C.No.1163/2011 on the file of the Assistant Sessions Judge, Kottarakkara. They are alleged to have committed the offences under Sections 308 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 third respondent and the learned Public Prosecutor.

4. The third 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 Section 482

Cr.P.C to quash the proceedings in the criminal case.

In the result, this CrI.M.C. is allowed. The proceedings in S.C.No.1163/2011 on the file of the Assistant Sessions Judge, Kottarakara are quashed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge