

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

Crl.MC.No. 3932 of 2015

**CC 668/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - I, PONNANI.
CRIME NO. 631/2014 OF PONNANI POLICE STATION.**
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PETITIONER(S)/ACCUSED 1 & 2:

1. FAISAL P.V.,
S/O.LATE ABDU RAHIMAN,
AGED 31 YEARS, NUNUGRAHAM,
ANAPPADI, PONNANI SOUTH P.O,
MALAPPURAM DISTRICT - 679 586.
2. THAHIRA,W/O. ANWAR, AGED 36 YEARS,
NUNUGRAHAM, ANAPPADI, PONNANI SOUTH P.O,
MALAPPURAM DISTRICT - 679 586.

**BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SMT.MEGHA K.XAVIER**

RESPONDENT(S)/COMPLAINANT & DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTING SUB INSPECTOR OF POLICE,
PONNANI POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF EKRALA, ERNAKULAM.
2. JABIRA E.V, D/O. ABDUL MAJEED, AGED 26 YEARS,
E.V JISHAR MANZIL, SIYARATH MASJID ROAD,
PONNANI SOUTH P.O, KADAVANADU DESOM,
PUTHUPONNANI DESOM, PONNANI TALUK,
MALAPPURAM DISTRICT - 679 586.

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.SEBY JOSEPH**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A1 : TRUE COPY OF PRIVATE COMPLAINT FILED BY
2ND RESPONDENT.
- ANNEXURE A2 : TRUE COPY OF FIR DATED 13/7/14 IN CRIME NO 631/2014 OF
PONNANI POLICE STATION.
- ANNEXURE A3 : TRUE COPY OF FINAL REPORT DATED 30/9/14.
- ANNEXURE A4 : AFFIDAVIT DATED 3/6/15 OF 2ND RESPONDENT.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3932 of 2015

Dated this the 29th 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 2nd petitioner is his sister. The petitioners are the accused in C.C. No.668 of 2014 on the file of Judicial First Class Magistrate Court, Ponnani. They are alleged to have subjected the 2nd respondent to cruelty and misappropriated her properties and thus committed the offences under Secs.406 and 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 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.668 of 2014 on the file of Judicial First Class Magistrate Court, Ponnani are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge