

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

CrI.MC.No. 4011 of 2015 ()

**CC.NO. 3236/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KASARAGOD
CRIME NO. 552/2013 OF BEDAKOM POLICE STATION, KASARAGOD DISTRICT**

PETITIONERS/ACCUSED :

- 1. ANSAR P.M.,
AGED 32 YEARS, S/O. MUHAMMEDKUNHI,
KUNNUMMAL HOUSE, PAKHYARA
BARA VILLAGE, KASARAGOD DISTRICT.**
- 2. HARISH P.M.,
AGED 27 YEARS, S/O. MUHAMMEDKUNHI,
KUNNUMMAL HOUSE, PAKHYARA
BARA VILLAGE, KASARAGOD DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENTS/DEFACTO COMPLAINANT/STATE :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. FATHIMATH SUMAIRA,
AGED 25 YEARS, D/O. UMMER,
KARIMANHANAM HOUSE, KOLATHOOR
KALLADAKUTY, KOLATHOOR VILLAGE,
KASARAGOD- 671 121.**

**R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.S.R.SREEJITH**

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

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APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE AI : COPY OF THE FIR IN CRIME NO. 552/2013 OF BEDAKAM
POLICE STATION, KASARAGOD.**

**ANNEXURE AII COPY OF THE FINAL REPORT IN CRIME NO. 552/2013 OF
BEDAKAM POLICE STATION, KASARAGOD.**

ANNEXURE AIII COPY OF THE MEDIATION AGREEMENT.

**ANNEXURE AIV COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT
ENDORING THE FACTUM OF COMPOUNDING OF THE
OFFENCES AND THE SETTLEMENT OF THE DISPUTES.**

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.
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Dated this the 7th day of July, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. The first petitioner and the second respondent are husband and wife. The other petitioner is his brother. The petitioners are accused in C.C. No.3236 of 2014 on the file of the Judicial First Class Magistrate-I, Kasargod. They are alleged to have subjected the second respondent to cruelty and threatened her and thus committed the offences under Sections 498A and 506 of IPC. 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 second respondent and the learned Public Prosecutor.

4. The second 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

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under Section 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.3236 of 2014 on the file of the Judicial First Class Magistrate-I, Kasargod are quashed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge