

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Crl.MC.No. 4067 of 2015 ()

**CC.NO. 1593/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, THALASSERY
CRIME NO. 714/2014 OF PANOOR POLICE STATION, KANNUR**

PETITIONERS/ACCUSED :

1. VALLIL NIYAS
29 YEARS, S/O. NASAR,
NIYAS MANZIL, MOKERI (P.O)
MUTHARIPEEDIKA, THALASSERY,
KANNUR DISTRICT.
2. VALLIL SARA
43 YEARS, D/O. AYISHA,
NIYAS MANZIL, MOKERI (P.O)
MUTHARIPEEDIKA, THALASSERY,
KANNUR DISTRICT.
3. VALLIL NIJINA
23 YEARS, D/O SARA,
NIYAS MANZIL, MOKERI (P.O)
MUTHARIPEEDIKA, THALASSERY,
KANNUR DISTRICT.
4. ABDUL KHADER
35 YEARS, S/O ABOOBACKER,
NIYAS MANZIL, MOKERI (P.O)
MUTHARIPEEDIKA, THALASSERY,
KANNUR DISTRICT.

**BY ADVS.SMT. K. DEEPA
SRI. V.R. NASAR**

RESPONDENTS :

1. STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
2. SABANA YOUSEF,
29 YEARS, D/O. YOUSEF, 'FATHIMAS',
KADIRUR (P.O), THALASSERY, KANNUR DISTRICT.

**R1 BY PUBLIC PROSECUTOR SMT.REMA R.
R2 BY ADV. SMT.CELINE JOSEPH**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 10-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 4067 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE I: TRUE COPY OF THE COMPLAINT AND FIR OF CRIME
NO.714/2014 OF THE PANOOR POLICE STATION, KANNUR.**

**ANNEXURE II: TRUE COPY OF THE FINAL REPORT OF CRIME NO.714/2014 OF
THE PANOOR POLICE STATION, KANNUR.**

**ANNEXURE III: TRUE COPY OF THE AGREEMENT BETWEEN THE 1ST
PETITIONER AND THE 2ND RESPONDENT.**

ANNEXURE IV: AFFIDAVIT FILED BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

K.ABRAHAM MATHEW J.

Crl.M.C.No.4067 OF 2015

Dated this the 10th 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 petitioners are his close relatives. The petitioners are the accused in C.C.No.1593 of 2014 on the file of the Judicial Magistrate of the First Class, Thalassery. They are alleged to have subjected the second respondent to cruelty and thus committed the offences under Section 498A IPC. It is submitted that the matter has been settled. The request is to quash the proceedings in the criminal case .

3. Heard the learned counsel for the petitioners and 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 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.1593 of 2014 on the file of the Judicial Magistrate of the First Class, Thalassery are quashed.

Sd/-

**K.ABRAHAM MATHEW
JUDGE**

cms

/True copy/

P.S.to Judge

The name of the lower court "**Judicial Magistrate of the First Class, Thalassery**" occurring in the third line of paragraph 2 and second line of operative portion of the final order dated 10/07/2015 in Crl.M.C 4067 of 2015 is corrected and substituted as "**Additional Chief Judicial Magistrate Court, Thalassery**" vide order dated 03/08/2015 in Crl.M.A.7327/2015 in Crl.M.C.4067/2015.

Sd/-
Registrar (Judicial)