

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

Crl.MC.No. 4099 of 2015 ()

**CC.NO. 100/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, ETTUMANOOR
CRIME NO. 1595/2014 OF ETTUMANOOR POLICE STATION, KOTTAYAM**

PETITIONERS/ACCUSED 1 TO 3 :

1. MUHAMMED SAHID,
S/O. N.K.ABDUL ASSIS, NEDUVELI PEEDIKAYIL HOUSE
ATHIRAMPUZHA KARA, ETTUMANOOR VILLAGE, KOTTAYAM.
2. N.K.ABDUL ASSIS,
NEDUVELI PEEDIKAYIL HOUSE, ATHIRAMPUZHA KARA
ETTUMANOOR VILLAGE, KOTTAYAM.
3. SUHARA BEEVI,
W/O. N.K.ABDUL ASSIS, NEDUVELI PEEDIKAYIL HOUSE
ATHIRAMPUZHA KARA, ETTUMANOOR VILLAGE, KOTTAYAM.

BY ADV. SRI.K.SURESH

RESPONDENTS/STATE AND DEFACTO COMPLAINANT :

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. RESHMA SAHID,
D/O. ABDUL HAMEED, METTUPURAM HOUSE
NEAR TAHORE LIBRARY, VEROOR MURI,
CHETTIPUZHA VILLAGE, CHANGANACHERRY TALUK,
PIN CODE-686106.

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

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 06-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 4099 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A1- TRUE COPY OF THE FINAL REPORT.

ANNEXURE A2- AFFIDAVIT SWORN BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

Crl.M.C. No.4099 of 2015

Dated this the 6th day of July 2015

O R D E R

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

2. The 1st petitioner and the 2nd respondent are husband and wife. The other petitioners are his parents. The petitioners are the accused in C.C. No.100 of 2015 on the file of the Judicial First Class Magistrate Court, Ettumanoor. They are alleged to have subjected the 2nd respondent to cruelty and assaulted her and thus committed the offences under Secs.498A, 377 and 323 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.100 of 2015 on the file of the Judicial First Class Magistrate Court, Ettumanoor are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/True Copy /

NS

P.A. To Judge