

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

Crl.MC.No. 4179 of 2015

CRIME NO. 282/2015 OF PAYYOLI POLICE STATION, KOZHIKODE DISTRICT.

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PETITIONER/ACCUSED:

**SHAHUL HAMEED, AGED 23 YEARS,
S/O. SHANID, IYYOTHIL COLONY,
PAYYOLI, CALICUT.**

**BY ADVS.SRI.C.KHALID
SRI.T.V.MAMMOOTTY
SRI.N.A.JOSEPH
SRI.K.P.MOHAMED SHAFI
SMT.K.S.HASEENA
SRI.PHIJO PRADEESH PHILIP
SMT.K.REEHA KHADER**

RESPONDENT(S)/DEFACTO COMPLAINANT:

- 1. SUB INSPECTOR OF POLICE,
PAYYOLI POLICE STATION,
THROUGH STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHIN-682031.**
- 2. MUFEEDA,(MINOR), AGED 17 YEARS,
PUTHAN MARACHALIL, KOVALI PALAM,
GANDHI NAGAR, PAYYOLI, CALICUT,
REPRESENTED BY MOTHER AND GUARDIAN,
SAFIYA, AGED 38, W/O MOIDU, PUTHAN MARACHALIL,
KOLAVI PALAM, GANDHI NAGAR, PAYYOLI,
CALICUT - 673 001.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.P.K.SUBHASH**

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

mbr/

Crl.MC.No. 4179 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE NO.1: THE COPY OF THE FIR IN CRIME NO.282/2015 OF PAYYOLI
POLICE STATION ON 27/04/2015.**

ANNEXURE NO.2: THE COPY OF THE AFFIDAVIT DATED 02.7.2015.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

Crl.M.C. No.4179 of 2015

Dated this the 7th day of July 2015

O R D E R

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

2. Petitioner is accused in Crime No.282 of 2015 of the Payyoli Police station registered for the offences under Secs.354(D)(1) of the Indian Penal Code and Sec.11 read with Sec.12 of the Protection of Children from Sexual Offences Act. 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 petitioner and for the 2nd respondent and the learned Public Prosecutor.

4. The guardian of the 2nd respondent has filed an affidavit to the effect that the dispute has been settled. 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 Crime No.282 of 2015 of the Payyoli Police station are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge