

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

CrI.MC.No. 4255 of 2015 ()

**CRIME NO. 234/2015 OF KONDOTTY POLICE STATION,
MALAPPURAM DISTRICT**

PETITIONERS/ACCUSED :

- 1. IBRAHIM NASEEF, AGED 27 YEARS,
S/O. AVARAN HAJI, THOTTASSERY HOUSE,
KUZHIMANNA, KONDOTTY, MALAPPURAM DISTRICT**
- 2. NIYAZ, S/O. AVARAN, AGED 29 YEARS,
THOTTASSERY HOUSE, KUZHIMANNA,
KONDOTTY, MALAPPURAM DISTRICT.**
- 3. AVARAN, S/O. IBRAHIM, AGED 62 YEARS,
THOTTASSERY HOUSE, KUZHIMANNA,
KONDOTTY, MALAPPURAM DISTRICT.**
- 4. SUBAIDA, W/O. AVARAN, AGED 55 YEARS,
THOTTASSERY HOUSE, KUZHIMANNA,
KONDOTTY, MALAPPURAM DISTRICT**

**BY ADVS.SRI.BABU S. NAIR
SRI.K.RAKESH**

RESPONDENTS/STATE & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682031.
THROUGH THE SUB INSPECTOR OF POLICE, KONDOTTY
POLICE STATION, MALAPPURAM DISTRICT.**
- 2. SHAHNAS, D/O. CHEKKAMTHODI BICHIKOYA,
KUNNAKKAD HOUSE, MONGAM P.O., KONDOTTY TALUK,
MALAPPURAM DISTRICT - 673642.**

**R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN
R2 BY ADV. SMT.M.LISHA.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 09-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 4255 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES :

ANNEXURE A: COPY OF THE FIR IN CRIME NO. 234/2015 OF THE KONDOTTY POLICE STATION DT 7/2/2015.

ANNEXURE B: COPY OF THE AFFIDAVIT SWORN TO BY THE R2 DT 14-5-2015.

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

CRL.M.C.No.4255 of 2015

Dated this the 9th day of July, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. First petitioner is the husband of the second respondent. The other petitioners are his parents and brother. The petitioners are accused in Crime No.234/2015 of Kondotty police station. The accusation is that they have committed the offences under Sections 323, 324, 406 and 498A of the Indian Penal Code. 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. I have perused the affidavit filed by the second respondent. I am satisfied that the matter has been settled and no public interest is involved in this case.

In the result, this Crl.M.C. is allowed. The proceedings in Crime No.234/2015 of Kondotty police station are quashed.

sd/-

**K. ABRAHAM MATHEW
JUDGE**