

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA,
1937

Cr1.MC.No. 7551 of 2015

IN CC 679/2013 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT, PAYYANNUR
CRIME NO. 759/2012 OF PERINGOME POLICE STATION , KANNUR

PETITIONERS/ACCUSED AND COMPLAINANT:

1. MONANGATT SAMEERA, AGED 31 YEARS,
D/O.C.P.ALI, VAYAKKARA AMSOM, THATTUMMAL DESOM,
KANNUR DISTRICT.
2. KALLOTH PURAYIL HASSAN, AGED 43 YEARS,
S/O.ISMAIL, MALAPPATAM AMSOM, KOLANTHA DESOM,
KANNUR DISTRICT.

BY ADV. SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENTS/DE FACTO COMPLAINANTS:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.682 031.

BY PUBLIC PROSECUTOR SMT.SHEEBA M.T

THIS CRIMINAL MISC. CASE HAVING COME UP FOR
ADMISSION ON 02-12-2015, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

Cr1.MC.No. 7551 of 2015

APPENDIX

PETITIONERS' ANNEXURES:

ANNEXURE-I: COPY OF THE FINAL REPORT IN CRIME NO.759/2012
OF PERINGOME POLICE STATION.

ANNEXURE-II: COPY OF AFFIDAVIT OF IST PETITIONER

ANNEXURE-III: COPY OF THE AGREEMENT BETWEEN PARTIES

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

Crl.M.C No.7551 of 2015

Dated this the 2nd day of December, 2015

O R D E R

The defacto complainant and the accused in C.C No.679/2013 of the Judicial First Class Magistrate Court, Payyannur seek orders under Section 482 of the Code of Criminal Procedure, quashing the said prosecution on the ground of amicable settlement of the whole dispute between them out of court. The first petitioner herein is the defacto complainant and the second petitioner is the accused. The victim has filed an affidavit to the effect that the whole dispute stands settled out of court, and that she has no grievance or complaint now. Her affidavit also shows that the marriage stands dissolved in terms of the settlement, and that she has re-married. All her claims stand satisfied under the law. In such a situation it is appropriate that the prosecution be quashed.

In the result, this petition is allowed. The prosecution against the second petitioner herein in C.C No.679/2013 of the Judicial First Class Magistrate Court, Payyannur will stand quashed under Section 482 of the Code of Criminal Procedure.

**Sd/-
P.UBAID
JUDGE**

//True Copy//

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P.A to Judge