

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

CrI.MC.No. 7166 of 2014 ()

**CrI.MC 3859/2014 of HIGH COURT OF KERALA
CRIME NO. 44/2014 OF ERAVIPURAM POLICE STATION, KOLLAM**

PETITIONER/1ST ACCUSED :

**ABDUL SALAM, S/O.SHAHUL HAMMED,
VELIKKATTU HOUSE-2, ARAFA NAGAR
ERAVIPURAM, KOLLAM DISTRICT, KERALA, INDIA.**

**BY ADVS.SRI.MANOJ RAMASWAMY
SMT.V.SREEJA
SRI.M.SETHUMOHAN**

RESPONDENTS/STATE AND DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**
 - 2. MUMTHAS
D/O.MUSTHAFA, PORUNNAVILA VEEDU, CHAKIRIKADA,
ERAVIPURAM 691011, KOLLAM DISTRICT.**
- R1 BY PUBLIC PROSECUTORSRI. JIBU P. THOMAS
R2 BY ADV. SRI.K.T.THOMAS (KANNAMPALLIL)**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 12-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 7166 of 2014 ()

APPENDIX

PETITIONER'S ANNEXURS :

ANNEXURE A1: COPY OF THE FIR NO. 44/2014 DT 9/1/2014.

ANNEXURE A2: COPY OF THE AFFIDAVIT BY THE R2.

ANNEXURE A3: COPY OF THE ORDER IN CRL.M.C. NO. 3859/2014 DT 1/9/2014.

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

K.ABRAHAM MATHEW, J.

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Crl.M.C.No.7166 of 2014.
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Dated this the 12th day of January, 2015.

O R D E R

The petitioner is the first accused in Crime No.44/2014 of Eravipuram Police Station registered for the offences under Sections 323 and 498A IPC. The other accused are their close relatives. The second respondent is his wife. It is submitted that the proceedings as against the co-accused have already been quashed by this Court since the matter has been settled. The second respondent has entered appeared through a counsel and filed a petition to the effect that the matter has been settled between her and the petitioner and she has no objection to the proceedings in the criminal case being quashed as against the petitioner also.

2. Heard, the learned counsel for the petitioner and the learned Public Prosecutor and perused the petition filed by the second respondent. I am satisfied that the

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allegations are true and this is a fit case to quash the proceedings in the criminal case.

3. In the result, this application is allowed. The proceedings in Crime No.44/2014 of Eravipuram Police Station are quashed as against the petitioner.

**Sd/-
K.ABRAHAM MATHEW,
(Judge)**

Kvs/-

(true copy)