

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

Crl.MC.No. 7200 of 2014 ()

CRIME NO. 1269/2014 OF PERUMBAVOOR POLICE STATION , ERNAKULAM DISTRICT

PETITIONER(S)/ACCUSED NOS. 1 TO 7:

1. SHAHEER,
S/O.ABDUL AZEES, AGED 28 YEARS,
HAFSATH MANZIL, KEERIYAT KARA,
KARIYIL, VALAPATTANA P.O., KANNUR DT.
2. HAFSATH,
W/O.ABDUL AZEES, AGED 65 YEARS,
HAFSATH MANZIL, KEERIYAT KARA,
KARIYIL, VALAPATTANA.P.O., KANNUR DT.
3. JASEER, S/O.ABDUL AZEES, AGED 25 YEARS,
HAFSATH MANZIL, KEERIYAT KARA,
KARIYIL, VALAPATTANA P.O., KANNUR DT.
4. KABEER, S/O.ABDUL AZEES,AGED 45 YEARS,
HAFSATH MANZIL, KEERIYAT KARA,
KARIYIL, VALAPATTANA. P.O., KANNUR DT.
5. LAREEMA, W/O.KABEER, AGED 40 YEARS,
HAFSATH MANZIL, KEERIYAT KARA,
KARIYIL, VALAPATTANAM P.O., KANNUR DT.
6. YASIR, S/O.ABDUL AZEES,AGED 41 YEARS,
HAFSATH MANZIL, KEERIYAT KARA,
KARIYIL, VALAPATTANA. P.O., KANNUR DT.
7. FAHEEMA,W/O.YASIR,AGED 38 YEARS,
HAFSATH MANZIL, KEERIYAT KARA,
KARIYIL, VALAPATTANA. P.O., KANNUR DT.

BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH

RESPONDENT(S)/DEFACTO COMPLAINANTS AND STATE:

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

CRL.M.C.NO.7200/2014

2. MARWA @ MARWA MOL,
D/O.MOITHEEN PILLA, AGED 19 YEARS,
RESIDING AT THACHIRUKUDI HOUSE,
(CHEEREKKATTIL) MUDIKKAL, MARAMPALLI,
PERUMBAVOOR,ERNAKULAM - 670 010.

R1 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

R2 BY ADV. SRI.C.H.ABDUL RASAC

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 27-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

Crl.MC.No. 7200 of 2014 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX-A1: TRUE COPY OF THE FIR AND COMPLAINT IN CRIME
NO.1269/2014**

ANNEX-A2: TRUE COPY OF THE AFFIDAVIT SWORN IN BY THE 2ND RESPONDENT

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.S.TO.JUDGE

sts

B.KEMAL PASHA, J.

.....
CRL. M.C. No.7200 of 2014
.....

Dated this the 27th day of January, 2015

ORDER

Petitioners are A1 to A7 in Crime No.1269/14 of the Perumbavoor Police Station, Ernakulam registered for the offences punishable under Sections 406 and 498A read with Section 34 of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting all further proceedings in Crime No No.1269/14 of the Perumbavoor Police Station, Ernakulam, quashed.

3. The allegation against the petitioners is that they have tortured and harassed the defacto complainant, who is the wife of the 1st accused, and treated her with cruelty within the meaning of Section 498A IPC, by demanding

more dowry, after misappropriating her entire gold ornaments and money.

4. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 2nd respondent herein, and the learned Public Prosecutor.

5. According to the petitioners, all the matters in dispute between the petitioners and the defacto complainant have been amicably settled and presently the defacto complainant has no complaints against the petitioners and, therefore, the proceedings against the petitioners may be quashed.

6. The defacto complainant, who is the 2nd respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioners have been amicably settled and, therefore, she has no complaints against the petitioners, and, hence, all further proceedings in the matter referred to above can be quashed. She has entered appearance through her counsel. The learned

counsel for the defacto complainant also endorses the fact that the affidavit has been sworn in by the defacto complainant on her own volition.

7. When all the matrimonial disputes have been settled between the parties and as the defacto complainant has no complaints against the petitioners, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this Crl.M.C. is allowed and all further proceedings based on Crime No.1269/14 of the Perumbavoor Police Station, Ernakulam, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge