IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

MONDAY, THE 5TH DAY OF AUGUST 2024 / 14TH SRAVANA, 1946

CRL.MC NO. 4678 OF 2024

CRIME NO.540/2023 OF VADAKARA POLICE STATION, KOZHIKODE

IN C.C. NO.685 OF 2023 OF JUDICIAL MAGISTRATE OF FIRST CLASS -II, VADAKARA

PETITIONERS/ACCUSED NO.1 TO 4:

1 RAMSHAD
AGED 33 YEARS
S/O MOIDU, MADATHUM THARAMATHI, CHELAKKAD, NADAPURAM P O.,
PIN - 673504

2 RAMLA A .T
AGED 50 YEARS
W/O IBRAHIM, THAYYIL HOUSE, KUMMANKODE, NADAPURAM P.O.,
PIN - 673504

3 AYISHA
AGED 40 YEARS
W/O POKKER, VETTARA HOUSE, PONMERI PARAMBIL, P O VALLYAPPALLY.,
PIN - 686574

4 HASEENA M T
AGED 38 YEARS
W/O RAFEEK, KUNJIPARAMBATH HOUSE, MOILOTHARA P.O., PIN - 673517

BY ADVS.
K.K.ANILRAJ
REMYA MURALI

RESPONDENTS/STATE & COMPLAINANT:

1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
PIN - 682031

2 SHABNA SHEREEF
AGED 24 YEARS
D/O SHEREEF, MALEKKAL HOUSE, MEMUNDA POST, VATAKARA TALUK,
KOZHIKKODE DISTRICT, KERALA., PIN - 673104

BY ADV R.K.PRASANTH
SR PP - RENJIT GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 05.08.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 5th day of August, 2024

This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings in C.C. No.685/2023 on the files of the Judicial First Class Magistrate Court, Vatakara arose out of Crime No.540/2023 of Vatakara Police Station, Kozhikode. Petitioners are accused Nos.1 to 4 in the above case.

2. Heard the learned counsel for the petitioners, the learned counsel appearing for the defacto complainant and the learned Public Prosecutor.

3. In this matter, offences punishable under Sections 498(A) and 406 of IPC are alleged to have been committed by the accused and the defacto complainant is none other than the wife of the 1st accused.

4. An affidavit sworn by the defacto complainant has been placed stating that the matter has been settled in between the parties and she has no grievance in the matter

of quashing the proceedings.

5. The learned Public Prosecutor also submitted that the matter has been settled between the parties and statement of the defacto complainant to that effect has been recorded.

6. Since the matter has been settled, there is no reason to disallow the prayer for quashment, so as to facilitate peaceful living of the married couple. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this petition stands allowed. All further proceedings in C.C. No.685/2023 on the files of the Judicial First Class Magistrate Court, Vatakara, arose out of Crime No.540/2023 of Vatakara Police Station, Kozhikode, as against the petitioners stand quashed.

Sd/-
A. BADHARUDEEN
JUDGE

SK

APPENDIX OF CRL.MC 4678/2024

PETITIONER ANNEXURES :

Annexure A1	**THE CERTIFIED COPY OF THE FINAL REPORT IN CC NO.685/2023 ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT, VATAKARA**
Annexure A2	**THE CERTIFIED COPY OF THE MEMORANDUM OF EVIDENCE IN CRIME NO. 540/2023 OF VATAKARA POLICE STATION**
Annexure A3	**TRUE COPY OF THE RECEIPT DATED 11-3-2024 ISSUED BY THE 2ND RESPONDENT**
Annexure A4	**THE TRUE COPY OF AFFIDAVIT DATED 11/03/2024 SIGNED BY THE SECOND RESPONDENT**

RESPONDENTS’ ANNEXURES : NIL