IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 25TH DAY OF JULY 2024 / 3RD SRAVANA, 1946

OP(CRL.) NO. 440 OF 2024

AGAINST THE ORDER/JUDGMENT DATED 07.06.2023 IN MC NO.10 OF 2016 OF FAMILY COURT, KALPETTA

PETITIONER/COUNTER PETITIONER:

M.K. BASHEER
AGED 42 YEARS
S/O IBRAHIM, MANHAKANDATHIL HOUSE, NEDUKARANA, RIPPON P.O, VYTHIRI TALUK, WAYANADU DISTRICT, PIN – 673576.

BY ADVS.
P.MOHAMED SABAH
SAIPOOJA

RESPONDENTS/PETITIONERS:

1 **RASIYA,**
AGED 31 YEARS
D/O HUSSAIN, KAITHOTTATHIL HOUSE, KAITHAPOYIL, PUTHUPADI P.O, THAMARASSERY TALUK, KOZHIKODE DISTRICT, PIN – 673586.

2 **MAJITHA SERIN,**
AGED 12 YEARS
(MINER), D/O MK BAHEER, REPRESENTED BY HER MOTHER, RESIYA, AGED 31 YEARS, D/O HUSSAIN, KAITHOTTATHIL HOUSE, KAITHAPOYIL, PUTHUPADI P.O, THAMARASSERY TALUK, KOZHIKODE DISTRICT, PIN – 673586.

3 **MAHIDA SHERIN,**
AGED 9 YEARS
(MINER), D/O MK BAHEER, REPRESENTED BY HER MOTHER, RESIYA, AGED 31 YEARS, D/O HUSSAIN, KAITHOTTATHIL HOUSE, KAITHAPOYIL, PUTHUPADI P.O, THAMARASSERY TALUK, KOZHIKODE DISTRICT, PIN – 673586.

**4 MUHAMMED MASHOOD
AGED 7 YEARS
(MINER), S/O MK BAHEER, REPRESENTED BY HIS MOTHER, RESIYA, AGED 31 YEARS, D/O HUSSAIN, KAITHOTTATHIL HOUSE, KAITHAPOYIL, PUTHUPADI P.O, THAMARASSERY TALUK, KOZHIKODE DISTRICT, PIN – 673586.**

OTHER PRESENT:

SMT. SREEJA V (PP)

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 25.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

OP(Crl.)No.440 of 2024

Dated this the 25th day of July, 2024

JUDGMENT

The learned counsel for the petitioner seeks permission to withdraw this Original Petition, since the petitioner has not been able to pay the amount as directed by this Court.

In view of the above, this Original Petition is dismissed as withdrawn.

Sd/-
BECHU KURIAN THOMAS
JUDGE

Pvv

APPENDIX OF OP(CRL.) 440/2024

PETITIONER'S EXHIBITS

EXHIBIT P1	**TRUE COPY OF THE ORDER DATED 30.3.2017 IN M.C.NO.10/2016 ON THE FILE OF THE HONOURABLE FAMILY COURT, KALPETTA**
EXHIBIT P2	**TRUE COPY OF THE COMMON ORDER DATED 07.06.2023 IN CRL.M.P. NO. 77/2017 AND CRL.M.P.NO.13/2019 IN M.C. NO. 10/2016 OF THE HONORABLE FAMILY COURT, KALPETTA**
EXHIBIT P3	**TRUE COPY OF THE ORDER DATED 21.02.2024 IN O.P. (CRL.) NO. 67/2024 OF THIS HONORABLE COURT**