

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

WEDNESDAY, THE 19TH DAY OF JUNE 2024/29TH JYAISHTA, 1946

CRL.MC NO. 3145 OF 2024

CRIME NO.455/2022 OF EDAVANNA POLICE STATION, MALAPPURAM

AGAINST THE ORDER/JUDGMENT DATED IN CC NO.621 OF 2022 OF CHIEF

JUDICIAL MAGISTRATE, MANJERI

PETITIONERS/ACCUSED NOS.1 TO 3:

- 1 MUHAMMED ASHRAF
 AGED 34 YEARS
 S/O MOYIN KUTTY, KODITHODIKA HOUSE,
 KUNNUMMAL AAMAYUR, MALAPPURAM DISTRICT,
 PIN - 676123
- 2 AASYA
 AGED 67 YEARS
 W/O MOYIN, KODITHODIKA HOUSE, KUNNUMMAL,
 AAMAYUR, MALAPPURAM DISTRICT, PIN - 676123
- 3 JASMIN
 AGED 48 YEARS
 W/O YUSUPH, ARANJIKKAL HOUSE, KUNDUTHODU.P,O
 EDAVANNA, MALAPPURAM DISTRICT, PIN - 676541

BY ADV P.M.RAFIQ

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

- 1 STATE OF KERALA
 REPRESENTED BY THE PUBLIC PROSECUTOR,
 HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031
- 2 HAMNA
 AGED 26 YEARS
 D/O MUHAMMED ABDUL HAKKEEM,
 KAPPAKUNNAN HOUSE THURAKKAL, MANJERI,
 MALAPPURAM DISTRICT-, PIN - 673638

BY ADV ANN SUSAN GEORGE

SRI.M.P.PRASANTH, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
19.06.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 19th day of June, 2024

This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings in Annexure I Final Report in Crime No.455/2022 of Edavanna Police Station, Malappuram, now pending as C.C.No.621/2022 on the files of the Chief Judicial Magistrate, Manjeri. Petitioners herein are accused Nos.1 to 3 in the above case.

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

3. In this matter, offences punishable under Sections 498A, 406 and 34 of IPC are alleged to have been committed by the accused. The defacto complainant is none other than the wife of the 1st petitioner.

4. It is submitted that the matter has been amicably settled and the de facto complainant filed affidavit in this

regard in a case involving matrimonial dispute.

5. The learned Public Prosecutor also submitted that the matter has been settled between the parties and statement of the de facto 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 parties hereinafter. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this petition stands allowed. All further proceedings in Annexure I Final Report in Crime No.455/2022 of Edavanna Police Station, Malappuram, now pending as C.C.No.621/2022 on the files of the Chief Judicial Magistrate, Manjeri, against the petitioners stand quashed.

**Sd/-
A. BADHARUDEEN
JUDGE**

nkr

APPENDIX OF CRL.MC 3145/2024

PETITIONER ANNEXURES

**ANNEXURE 1 THE TRUE COPY OF FINAL REPORT IN
C.C.NO.621/2022 OF THE COURT OF CHIEF
JUDICIAL MAGISTRATE, MANJERI**

**ANNEXURE 2 THE AFFIDAVIT SWORN BY THE SECOND
RESPONDENT/DEFACTO COMPLAINANT
INFORMING THE FACTUM OF SETTLEMENT
BEFORE THIS HON'BLE COURT**

RESPONDENTS ANNEXURES : NIL