



2024:KER:66261

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

MONDAY, THE 2ND DAY OF SEPTEMBER 2024 / 11TH BHADRA, 1946

CRL.MC NO. 5584 OF 2024

CRIME NO.109/2024 OF MATHILAKOM POLICE STATION, THRISSUR

CC NO.311 OF 2024 OF JUDICIAL MAGISTRATE OF FIRST CLASS,

KODUNGALLUR

PETITIONERS/DE FACTO COMPLAINANT:

ANEESHA K.K.

AGED 33 YEARS

D/O.KHADER, KARAPPAMVEETIL HOUSE, KATTANBAZAR, VEMBALLUR
VILLAGE, THRISSUR RURAL, THRISSUR DISTRICT, PIN - 680671

BY ADVS.

K.K.SUBEESH

ROY THOMAS (MUVATTUPUZHA)

RESPONDENTS/STATE, INVESTIGATING OFFICER & ACCUSED 1 TO 4:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682031
- 2 SUB INSPECTOR OF POLICE
MATHILAKAM POLICE STATION, THRISSUR DISTRICT, PIN - 680685
- 3 NISHAD
AGED 46 YEARS
S/O.MOOSA, KRIPPAMKULAM HOUSE, THAMBANKADAVU, THALIKULAM
VILLAGE, THRISSUR RURAL, THRISSUR DISTRICT, PIN - 680569
- 4 KHADEEJA
AGED 72 YEARS
S/O.MOOSA, KRIPPAMKULAM HOUSE, THAMBANKADAVU, THALIKULAM
VILLAGE, THRISSUR RURAL, THRISSUR DISTRICT, PIN - 680569
- 5 NOUSHAD
AGED 49 YEARS
S/O.MOOSA, KRIPPAMKULAM HOUSE, THAMBANKADAVU, THALIKULAM
VILLAGE, THRISSUR RURAL, THRISSUR DISTRICT, PIN - 680569
- 6 SHYNI
AGED 37 YEARS
S/O.MOOSA, KRIPPAMKULAM HOUSE, THAMBANKADAVU, THALIKULAM
VILLAGE, THRISSUR RURAL, THRISSUR DISTRICT, PIN - 680569
R1 & R2 BY SR.PUBLIC PROSECUTOR SRI.RENJIT GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 29.8.2024,
THE COURT ON 02.09.2024, PASSED THE FOLLOWING:

**ORDER**

Dated this the 2nd day of September, 2024

This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash Annexure A1 FIR, Annexure A2 Final Report and all further proceedings in C.C.No.311/2024 on the files of the Judicial First Class Magistrate Court, Kodungallur, Thrissur District, arose out of Crime No.109/2024 of Mathilakam Police Station, Thrissur. The petitioner herein is the de facto complainant in the above case.

2. Heard the learned counsel for the petitioner/de facto complainant, the learned counsel for respondents 3 to 6/accused Nos.1 to 4 and the learned Public Prosecutor.

3. In this matter, offences punishable under Sections 406 and 498A of the Indian Penal Code, are alleged to have been committed by the accused.



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4. The learned counsel for the petitioner/de facto complainant and the learned counsel for the respondents 3 to 6/accused Nos.1 to 4 would submit that the matter has been settled between the parties 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 dispute has been settled between the parties, 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. Annexure A1 FIR, Annexure A2 Final Report and all further proceedings in C.C.No.311/2024 on the files of the Judicial First Class Magistrate Court, Kodungallur, Thrissur District, arose out of



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Crime No.109/2024 of Mathilakam Police Station, Thrissur,
against accused Nos.1 to 4, stand quashed.

Sd/-
A. BADHARUDEEN
JUDGE

Bb



APPENDIX OF CRL.MC 5584/2024

PETITIONER'S ANNEXURES

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| ANNEXURE A1 | CERTIFIED COPY OF F.I.R. AND F.I.S. IN
CRIME NO.109/2024 REGISTERED BY SECOND
RESPONDENT DATED 07/02/2024 |
| ANNEXURE A2 | CERTIFIED COPY OF THE FINAL REPORT IN
CC.NO.311/2024 ON THE FILE OF JUDICIAL
FIRST CLASS MAGISTRATE, KODUNGALLUR |
| ANNEXURE A3 | THE ORIGINAL COPY OF THE AFFIDAVIT
SWORN BY THE PETITIONER DATED
21/05/2024 |

RESPONDENTS' ANNEXURES : NIL