

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Cr1.MC.No. 6491 of 2014 ()

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CC 1159/2013 of J.M.F.C.-II, KANNUR  
CRIME NO. 108/2011 OF KANNUR CITY POLICE STATION  
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PETITIONER(S)/ACCUSED NO.1 TO 3 :-

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1. HANEEFA C, AGED 48 YEARS  
S/O.HYDRU, CHELLIL HOUSE, PALLIPPADI  
PONNANI SOUTH (PO), PONNANI, MALAPPURAM DISTRICT.
2. NABEESA C, AGED 68 YEARS  
W/O.HYDRU, CHELLIL HOUSE, PALLIPPADI  
PONNANI SOUTH (PO), PONNANI, MALAPPURAM DISTRICT.
3. JAMEELA C, AGED 31 YEARS  
D/O.HYDRU, CHELLIL HOUSE, PALLIPPADI  
PONNANI SOUTH (PO), PONNANI, MALAPPURAM DISTRICT.

BY ADVS.SRI.K.B.ARUNKUMAR  
SRI.RANJIT BABU

RESPONDENT(S)/STATE AND DEFAC TO COMPLAINTANT :-

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1. STATE OF KERALA REPRESENTED THROUGH  
THE SUB INSPECTOR OF POLICE  
KANNUR CITY POLICE STATION, KANNUR DISTRICT  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 032.
2. SUBAIDA, AGED 41 YEARS  
D/O.MUHAMMED KUTTY, BAYICHAKKARANTAVIDA  
FISHERIES COLONY, THAYYIL (PO)  
KANNUR DISTRICT. PIN-670 003.

R2 BY ADV. SRI.PRATHEESH.P  
R1 BY PUBLIC PROSECUTOR SRI.R.GITHESH

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON  
30-12-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 6491 of 2014 ()

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APPENDIX

PETITIONER(S) ' EXHIBITS :-

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ANNEXURE 1- THE CERTIFIED COPY OF THE FIR IN CRIME NO.108/2011 OF KANNUR CITY POLICE STATION.

ANNEXURE 2- THE CERTIFIED COPY OF THE FINAL REPORT IN C.C.NO.1159 OF 2013 NOW PENDING ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KANNUR.

ANNEXURE 3- THE TRUE COPY OF THE AGREEMENT EXECUTED BY THE 2ND RESPONDENT DATED 15.10.2014.

ANNEXURE 4- THE AFFIDAVIT DATED 14.11.2014 EXECUTED BY THE 2ND RESPONDENT.

RESPONDENT(S) ' EXHIBITS :- NIL

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//TRUE COPY//

P.A. TO JUDGE

**P.BHAVADASAN, J.**

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**Crl.M.C. No.6491 of 2014**  
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**Dated this the 30<sup>th</sup> day of December 2014**

**O R D E R**

On a complaint filed by the 2<sup>nd</sup> respondent, a crime was registered as Crime No.108 of 2011 by the Kannur City Police for the offence punishable under Sec.498A of IPC. After completion of investigation, final report was laid, cognizance was taken as C.C.No.1159 of 2013 by JFCM Court-II, Kannur.

2. The petitioners now point out that they have settled all differences and disputes between the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent has no further grievance in the matter. In support of the above plea, the petitioners rely on the affidavit said to have been sworn to by the 2<sup>nd</sup> respondent before this Court.

3. The 2<sup>nd</sup> respondent before this Court is represented by her counsel, who accepts that an affidavit has been sworn to by the 2<sup>nd</sup> respondent and stands by the statements contained therein. In the light of the fact that in the affidavit the de facto complainant has specifically stated that she does not intend to

Crl.M.C. No.6491 of 2014

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proceed with the matter, it would only be a sheer waste of time, if continue the proceedings.

Hence, this petition is allowed. All further proceedings in C.C.No.1159 of 2013 pending before JFCM Court-II, Kannur including the final report shall stand quashed.

**Sd/-**  
**P.BHAVADASAN, JUDGE.**

Jvt