

Ayisha vs State of Kerala

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Court : Kerala

Decided On : Apr-30-2019

Judge : Honourable Mr. Justice Ashok Menon

Appeal No. : Crl.MC/1742/2019

Appellant : Ayisha

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ASHOK MENON
TUESDAY, THE 30TH DAY OF APRIL 2019 / 10TH VAISAKHA, 1941
Crl.MC.No. 1742 of 2019 CRIME NO. 868/2018 OF Mannarkkad Police
Station PETITIONER/ACCUSED: AYISHA, AGED 33 YEARS, D/O.
MOIDEEN, KULATHOOR HOUSE, KODATHIPADI, MANNARKKAD,
PALAKKAD. BY ADVS. SRI.K.MOHANAKANNAN SMT.T.V.NEEMA
RESPONDENTS/STATE & DEFACTO COMPLAINANT: 1 STATE OF
KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH
COURT OF KERALA, ERNAKULAM, KOCHI-682031. 2 ABDUL
KAREEM AGED 39 YEARS, S/O. YUSUF, CHELODAN HOUSE,
KOLAPPADAM, MANNARKKAD, PALAKKAD DISTRICT-678582. BY

ADV. SRI.H.PRAVEEN (KOTTARAKARA)FOR R2 OTHER PRESENT:
SMT. K K SHEEBA, PP THIS CRIMINAL MISC. CASE HAVING COME
UP FOR ADMISSION ON 30.04.2019, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING: -2-

ORDER

Petitioner is the sole accused in Crime No.868/2018 of Mannarkkad Police Station for having allegedly committed offence punishable under Sections 294b and 379 of the Indian Penal Code, for having allegedly stolen a mobile phone.

2. It is submitted that the petitioner and the defacto

complainant were married and separated. The defacto complainant is represented by counsel before this Court and submits that the matter has been settled between the parties.

3. Considering the fact that the matter has been settled

between the parties and that the defacto complainant has given a statement before the investigating officer about which the learned Public Prosecutor has submitted, I find that there is no point in proceedings with the above matter further. In the result, this CrI.MC is allowed and the entire proceedings in Crime No.868/2018 of Mannarkkad Police Station would stand quashed under Section 482 of the Cr.PC. Sd/- ASHOK MENON JUDGE jg -3- APPENDIX
PETITIONER'S/S EXHIBITS: ANNEXURE A1 TRUE COPY OF THE FIR IN
CRIME 868/2018 OF MANNARKKAD POLICE STATION. ANNEXURE A2
ORIGINAL COPY OF THE AFFIDAVIT DATED 1-2-2019 SWORN BY THE 2ND
RESPONDENT. //TRUE COPY//

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