

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2015

CORAM

The Hon'ble Mr. Justice R.S.RAMANATHAN

Crl.O.P.No.7190 of 2014
and M.P.Nos.1 and 2 of 2014

1.Dr.R.Manikandan
2.Dr.Mrs.Padmini
3.Dr.T.Rajagopal
4.Rekha Rajesh
5.Dr.Kannan

...Petitioners

vs.

Mrs.Deepa

...Respondent

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in P.R.C.No.129 of 2013 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioners: Mr.L.Baskaran

For Respondent : Mrs.D.Latha

O R D E R

The accused in P.R.C.No.129 of 2013 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai are the petitioners. The respondent filed the above private complaint in M.P.No.5282/2013 against the petitioners for offences under Sections 120B, 110, 315, 316, 498-A, 509 IPC r/w. 34 IPC and that was taken cognizance by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai in P.R.C.No.129 of 2013.

2. Now, learned counsel for the petitioners submitted that the respondent/complainant has settled the matter with the petitioners and she has also filed an affidavit to that effect stating that marriage between the first petitioner and the respondent was dissolved by a decree of mutual consent in O.P.No.2776 of 2014 and the respondent has also received a sum of Rs.55 lakhs in full settlement of claims. The respondent has also agreed to withdraw the complaint given by her against the petitioners. He therefore submitted that the affidavit of the complainant may be taken on file and the complaint in P.R.C.No.129 of 2013 may be quashed.

3. The respondent is present before this Court and she has produced the driving licence to prove her identity. She is also represented by counsel. The respondent has admitted the filing of the affidavit and she has no objection in quashing the case, as she has agreed to withdrawn the complaint given by her against the petitioners. The respondent/complainant also admitted that the marriage between her and the first petitioner was dissolved by a decree of mutual consent before the I Additional Family Court, Chennai and she has also admitted the receipt of Rs.55 lakhs from the petitioners.

4. Considering the nature of allegation and the matter was settled between the parties and the marriage between the first petitioner and the respondent was dissolved and the respondent also received money in full quit, this Criminal Original Petition is allowed and the proceedings in P.R.C.No.129 of 2013 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai are quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

1. XXIII Metropolitan Magistrate, Saidapet, Chennai
2. -do- Through The Chief Metropolitan Magistrate, Egmore, Chennai-8.

+ 1 cc to Mr.A. Gopinath, Advocate Sr.17489

Cr1.O.P.No.7190 of 2014

RK(CO)
EU 16.4.15

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