

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Cr1.O.P. No.18622 of 2016

1.S.Rajiv
2.Mageshwari
3.N.M.S.Sekar

... Petitioners/Accused
1 to 3

Vs.

1.The State rep by
The Inspector of Police
All Women Police Station
Perur at Pothanur
Coimbatore District.

2.N.Hemalatha ... Respondents/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records and quash the proceedings in Cr.No.20 of
2013 on the file of the 1st respondent police.

For petitioners : Mr.Dr.C.Ravichandran

For Respondents : Mr. C. Emalias
Additional Public Prosecutor for R1
Mr.R.Bharanidaran for R2

ORDER

This petition has been filed to call for the records and
quash the proceedings in Cr.No.20 of 2013 on the file of the 1st
respondent police.

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

3. On the complaint lodged by Hemalatha, the respondent
police registered a case in Cr.No.20 of 2013 for offences u/s
498-A, 406, 506(i) IPC and Section 4 of the Dowry Prohibition

Act, against the petitioners herein, for quashing which they are before this Court, on the ground that the parties have entered into a compromise.

4. Today, N.Hemalatha, the de facto complainant is present and is identified by Mr.R.Bharanidaran, learned counsel on record.

5. A copy of the Memorandum of Understanding dated 02.07.2016 signed by all the parties, including Hemalatha has been filed, wherein the relevant portion relating to this case is as follows:

"(j) The party of the Third Part agree to compound and take steps to drop out the case filed by her which is now pending on the file of Hon'ble Additional Mahila Court, Coimbatore, on the basis of the complaint preferred by the party of the Third Part in Crime No.20/2013 captioned as Case No.5."

6. This Court made direct enquiries with Hemalatha and she stated that she had entered into the said Memorandum of Understanding on her own volition. Pursuant to the Memorandum of Understanding, the balance sum of Rs.25 lakhs has been paid to Hemalatha by way of three Demand Drafts bearing Nos.196002 [for Rs.5 lakhs], 196019 [for Rs.10 lakhs] and 196020 [for Rs.10 lakhs], all dated 29.08.2016, drawn on Bank of Maharashtra and the same were handed over to her in the open Court.

In view of the above, this petition is allowed and the prosecution in Cr.No.20 of 2013 on the file of the first respondent police is hereby quashed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gms

To

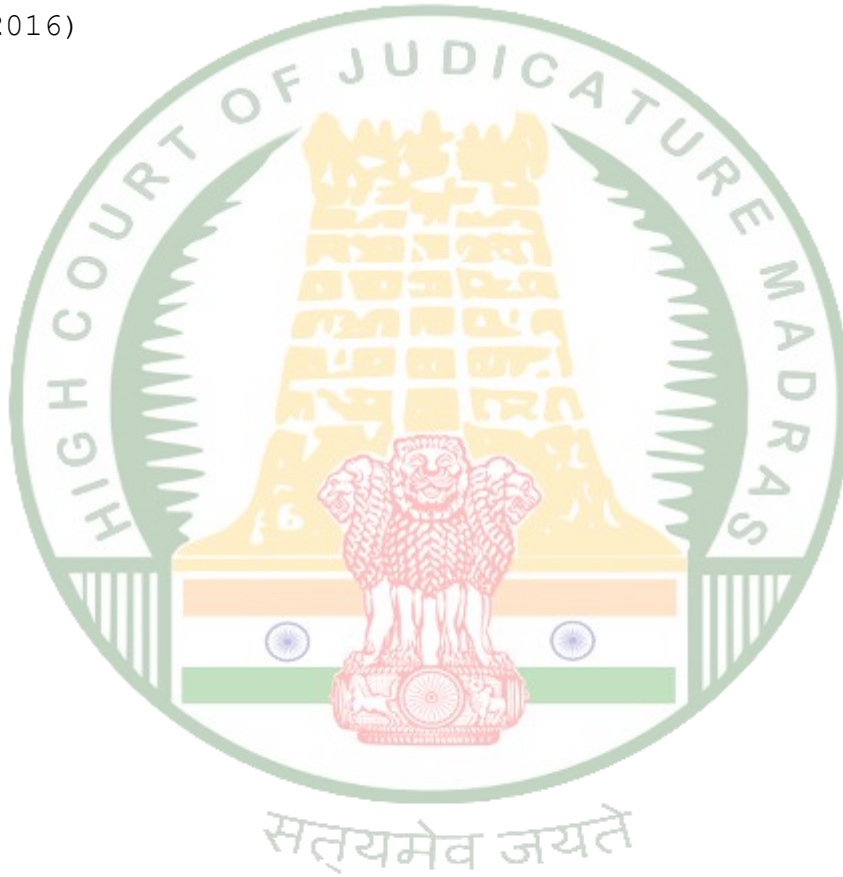
1.The Inspector of Police
All Women Police Station
Perur at Pothanur
Coimbatore District.

2.The Public Prosecutor
High Court of Madras
Chennai 600 104.

+2cc's to Dr.C.Ravichandran, Advocate, S.R.Nos.50773 & 51050
+1cc to Mr.R.Karthikeyan, Advocate, S.R.No.50767

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UG(CO)
CA(14/09/2016)



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