

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.2152 of 2018
and
CrI.M.P.No.822 & 823 of 2018

1. Mr.Muralikrishna Harirao
2. Harirao Jayaram,
3. Sasikala .. Petitioners

Vs.

1. State rep. by
Inspector of Police,
W23, All Women Police Station,
Royapettah, Chennai - 600 014.
2. Ms.Poonam Narayanji Rao .. Respondents

COMMON PRAYERS: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the Charge Sheet in C.C.No.1694 of 2012 on the file of Hon'ble XVIII Metropolitan Magistrate Court, Saidapet, Chennai - 600 015 filed by the first respondent under Section 173 (2) Cr.P.C based on the FIR No.6 of 2011 on the file of first respondent police and quash the same.

For Petitioners : Mrs.Nalinichidambaram
Senior Counsel for C.Uma

For Respondents : Mrs.Kritika Kamal.P
Government Advocate (CrI. Side)
for R1
Mr.K.Shakespeare for R2

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O R D E R

The first petitioner and the second respondent herein have entered into a Memorandum of Understanding dated 27.12.2017 duly signed by the parties, which read as follows:

"1.Mr.Muralikrishna Harirao will pay a sum of Rs.40,00,000 by Demand Draft having D.D.No.860451, dated 26.12.2017, drawn on Canara Bank, Triplicane Branch, Chennai payable at Bangalore to Ms.Poonam Narayanji Rao as permanent alimony in full and final settlement of all claims by Ms.Poonam Narayanji Rao on Mr.Muralikrishna Harirao. On such payment Ms.Poonam Narayanji Rao shall have no further claim against Mr.Muralikrishna Harirao.

2. The parents of Mr.Muralikrishna Harirao will return the articles belonging to Ms.Poonam Narayanji Rao in their possession to her at the time of signing this MOU, the list of the said articles are given in the Annexure to this MOU.

3.On receipt of the sum of Rs.40,00,000/- Ms.Poonam Narayanji Rao shall

(i) Withdraw the case filed for maintenance in the Family Court, Bengaluru in Crl.Mis.No.252 of 2012.

(ii) Co-operate in getting the C.C.No.1694/2012 filed before the Inspector of Police, W-23, All Women Police Station, Royapettah, Chennai - 600 014 by Ms.Poonam Narayanji Rao quashed in the Madras High Court under Section 482 of Crl.P.C. Ms. Poonam Narayanji Rao will give vakalath to her advocate in chennai to appear before the Madras High Court on her behalf in the petition for quash to be filed by Mr.Muralikrishna Hari rao, J.Hari Rao and Sasikala under section 482 CrPC to get the FIR in C.C.No.1694/2012 filed by Mrs.Poonam Narayanji Rao quashed and give her consent for quashing the FIR.

4. Ms.Poonam Narayanji Rao shall co-operate in accepting the foreign decree for divorce obtained by Mr.Muralikrishna Harirao in the U.S. in the Superior Court of California, County of Los Angeles by order Case No: BD552233 dated 28.02.2014 as binding on her by filing a petition in the family court in Chennai jointly with Mr.Muralikrishna Harirao and getting a decree for dissolution of the marriage between Ms.Poonam Narayanji Rao and Mr.Muralikrishna Harirao in the family court in Chennai on the basis of the foreign decree for divorce obtained by Mr.Muralikrishna Harirao in the U.S. in the Superior Court of California, County of Los Angeles by order Case No: BD552233 dated 28.02.2014. Mr.Muralikrishna will co-operate in any proceedings for divorce in India. Subject to Mr.Muralikrishna coming to India, and signing petition for divorce by mutual consent, the above is accepted.

5. On receipt of the sum of Rs.40,00,000/- as permanent alimony Ms.Poonam Narayanji Rao shall not enforce the order of the Family Court, Bengaluru in Crl. Mis.No.252 of 2012 granting monthly maintenance to her from Mr.Muralikrishna Harirao.

6. After signing the MOU Mr.Muralikrishna Harirao and his family undertake not to contact Ms.Poonam Narayanji Rao and her family, relatives and their friends under any circumstances what so ever."

In view of the above said Memorandum of Understanding, this petition is allowed. The proceedings in C.C.No.1694/2012 on the file of the learned XVIII Metropolitan Magistrate stands quahsed. The Memorandum of Understanding duly signed by the parties, shall form part of the order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
W23, All Women Police Station,
Royapettah, Chennai - 600 014.
2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.Uma Advocate sr 9980

Crl.O.P.No.2152 of 2018
and

Crl.M.P.No.822 & 823 of 2018

aa14/03/2018

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