



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.09.2019
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.17521 of 2014
and
M.P. (MD)Nos.1 and 2 of 2014

1.Catharin Sara

2.Albert Rabara

... Petitioners

Vs

Metrilada

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records from the lower Court in C.C.No.178 of 2013, on the file of the Judicial Magistrate No.II, Kuzhithurai, Kanniyakumari District and to quash the same.

For Petitioners : Mr.V.Kathirvelu, Senior Counsel
For Respondent : Mr.A.Thiruvadi Kumar

O R D E R

The petitioners are facing trail in C.C.No.178 of 2013, on the file of the learned Judicial Magistrate No.II, Kuzhithurai, Kanniyakumari District, for the offences under Sections 409 and 109 r/w. 34 of I.P.C. It is a private complaint. The respondent is the complainant. The prime accused namely., the husband of the respondent is no more. In order to purchase peace, the learned Senior Counsel appearing for the petitioners states that the petitioners would take a demand draft for a sum of Rs.1,00,000/- favouring the respondent and hand over the same to the learned counsel appearing for the complainant/respondent herein within a period of one week from the date of receipt of a copy of this order. The petitioners would also file an affidavit relinquishing their claim, if any on the land that was gifted by the father of the respondent herein and her father-in-law. The details regarding the land will be furnished by the respondent's counsel to the counsel appearing for the petitioners herein. The affidavit will be prepared in two sets. Both will be original for each other. One set will be filed in the Registry while the other set will be handed over to the counsel for the respondent. In view of this offer made by the petitioners herein, no purpose will be served by continuing to keep the petitioners as accused in this case. In this view of



the matter, the impugned proceedings stands quashed as far as the petitioners herein are concerned.

2.The Calender Case was filed way back in the year 2013. A2, A3 and A6 have not filed any quash petition. Therefore, the Court below is directed to conclude the proceedings in C.C.No.178 of 2013, on merits and in accordance with law within a period six months from the date of receipt of a copy of this order.

3.With this direction, the criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

The Judicial Magistrate No.II,
Kuzhithurai,
Kanyakumari District.

+1 CC to Mr.K.PRABHU, Advocate (SR-88525[F] dated 23/09/2019)
+1 CC to Mr.A.THIRUVADI KUMAR, Advocate (SR-88654[F] dated
23/09/2019)

Crl.O.P. (MD)No.17521 of 2014
20.09.2019

IAS
MK (10.10.2019) 2P 4C