

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.02.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.14470 of 2014

A.S.Sree Nandhini

...Petitioner/Accused

Vs.

Dr.Asha Dinesh

...Respondent/complainant

Prayer: Petition filed under Section 482 of Cr.P.C., seeking to call for the records relating to the complaint in C.C.No.1930 of 2014 on the file of the V Metropolitan Magistrate, Egmore and quash the same as far as the petitioners are concerned.

For Petitioner : M/s.IAbrar MD.Abdullah

For Respondent : M/s.V.S.Rajaram

ORDER

The petition is filed by the petitioner, challenging the proceedings in CC No.1930 of 2014 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

2.The respondent herein filed a private complaint before the learned V Metropolitan Magistrate, Egmore, Chennai, against the petitioner for the offence under Sections 499, 500 and 501 of IPC and it was numbered as C.C.No. 1930 of 2014 and challenging the complaint on the ground that the allegations made in the complaint does not attract the said provisions, the present petition has been filed under Section 482 of Cr.P.C for quashment.

3.The learned counsel for the respondent submits that the respondent/defacto complainant has permitted to withdraw the private complaint filed against the petitioner and an affidavit to the said effect has also been filed, the relevant portion of which filed by him and in support of his contention reads as under:

"5. The Petitioner's Ex-husband K.Senthilkumaran contacted me and showed me the Memorandum of Understanding entered between him and the petitioner on 1st February 2020 and told he and the petitioner have decided to settle the issues between them amicably based on the terms of Memorandum of Understanding . Accordingly he requested me to withdraw the private complaint filed by me against the petitioner. Considering his request I have decided to withdraw the complaint C.C.No.1930 of 2014 on the file of V Metropolitan Magistrate Court at Egmore filed by me against the petitioner.

6.Since I am held up in a conference in Kancheepuram I am unable to appear before this Hon'ble Court in person to record my willingness to withdraw the private complaint C.C.No.1930 of 2014 on the file of V Metropolitan Magistrate Court at Egmore filed by me against the petitioner."

4.The above affidavit is taken on record and it shall form part of the records.

5. In view of the above, no further adjudication is necessary with regard to the complaint and this Court, hereby issues a direction to the learned V Metropolitan Magistrate to pass appropriate orders on the withdrawal application, if any, filed by the respondent. Accordingly, this Criminal Original Petition is disposed of with above terms. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

1.The V Metropolitan Magistrate,
Egmore.

2.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.14470 of 2014

RLD(CO)
KKV/20/08/2020



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