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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2022

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.NO.26936 OF 2014

AND

M.P.NOS. 1 OF 2014 & 1 OF 2015

1. A.Mohammed Abubacker,
S/o. Abdul Sheik
 2. Ahammed Meera,
W/o. Mr. A.Mohammed Abubacker
- ... Petitioners

Versus

1. The Inspector of Police - AWPS,
All Women Police Station - Central,
Coimbatore.
 2. Mrs. Fathima @ K. Vasuki,
D/o. Mr. M.Kamaraj
 3. M. Sheik Mohammed Rafiq,
S/o. MrA.Mohammed Abubacker
- ... Respondents

PRAYER :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.126 of 2013 on the file of learned Mahila Court at Coimbatore for offences under Sec.498A I.P.C. and Sec.4 of Dowry Prohibition Act and quash the same against all the accused.

For Petitioners : Mr.K.G.Senthilkumar

For Respondents : Mr.C.E.Pratap,
Govt. Advocate
(Crl. Side) for R1

Mr. K.Balaji for R2

No appearance for R3



ORDER

(This case has been heard through video conference)

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Earlier, when the matter came up for hearing, learned counsel appearing for the 2nd respondent submitted that earlier, there was a settlement arrived between parties and as per the settlement, A1, who is arrayed as 3rd respondent in the petition has entered into a memorandum of understanding with the defacto complainant/2nd respondent and agreed to pay Rs.40 lakhs. Subsequently, he has paid only a sum of Rs.20 lakhs and the remaining amount was not paid. In the above circumstances, this Court directed the petitioners to settle the remaining amount as per the memorandum of understanding entered between them.

2. Today, when the matter taken up for hearing, Mr.K.G.Senthilkumumar, learned counsel appearing for petitioners, on instructions, would submit the petitioners wanted to withdraw this Criminal Original Petition. Hence, this petition may be dismissed as withdrawn.

3. In view of the submission made by the learned counsel appearing for the petitioners, this Criminal Original Petition is dismissed as withdrawn. However, considering the fact that the criminal case is pending from the year 2013, the Trial Court is directed to proceed with the trial and dispose the same within a period of three months from the date of Courts resume normal functioning. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Mahila Court,
Coimbatore.
2. The Inspector of Police - AWPS,
All Women Police Station - Central,
Coimbatore.



3. The Public Prosecutor,
High Court, Madras.

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+1cc to Mr.K.G.Senthilkumar, Advocate, S.R.No.3914

+1cc to Mr. K.Balaji, Advocate, S.R.No.4335

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PCH (CO)
PM/08/02/2022