

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2014

CORAM

THE HONOURABLE MR. **JUSTICE B.RAJENDRAN**

Crl.O.P.No.28799 of 2014

1. G.Abdul Sathar
2. M.Abdul Gaffar
3. Taj Begum
4. Abdul Rahim
5. Abdul Shafi
6. Faziya Sultana

... Petitioners

vs

State by:
The Inspector of Police
All Women Police Station
Mount Road, Chennai.

... Respondent

Criminal Original Petition filed under Section 438 of Cr.P.C. to enlarge the petitioners on bail in the event of their arrest by the respondent police for the offences under Sections 498-A and Section 4 of Dowry Prohibition Act and under the provisions of Prevention of Harassment to Woman Act.

For Petitioner : Mr.T.Munirathnam Naidu

For Respondent : M/s.Shaffana
Government Advocate
(Criminal side)

Mr.R.Ganesh Kumar
for defacto complainant

ORDER

The prayer in the Criminal Original Petition is to enlarge the petitioners on bail in the event of their arrest by the respondent police for the offences under Sections 498-A and Section 4 of Dowry Prohibition Act and under the provisions of Prevention of Harassment to Woman Act.

2. This petition was referred for mediation to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, by the order of this Court, dated 03.11.2014.

3. A communication, dated 16.12.2014 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its Mediation Report, dated 01.12.2014, has been received, and in the said Mediation Report, it is stated as follows:-

" Both the parties appeared before the Centre along with their counsel. Matter has been settled between them as per the terms cited in the Mediation Agreement enclosed. Hence the matter is sent back to the Hon`ble Court."

4. As the parties have arrived at a settlement in terms of the Mediation Agreement dated 01.12.2014, this petition is listed for passing orders in terms of the said Mediation Agreement.

5. The Mediation Agreement, dated 01.12.2014 signed by the parties and their respective counsel, reads as follows:-

"Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows:

1. Both parties exchanged their articles. 1st petitioner handed over the one Gold Ring and one Gold chain to the defacto complainant/wife.

2. Defacto complainant/wife handed over the one gold ring, one silver ring, one pair of silver anklets and gold thali chain without dollar to the 1st petitioner. The defacto complainant/wife will hand over dollar to the 1st petitioner at the time of "Khullah".

3. 1st petitioner agreed to pay a sum of Rs.1,00,000/- [Rupees one lakh only] by the way of D.D.to the defacto complainant/wife at the time of "Khullah".

4. The defacto complainant agrees to withdraw the complaint on the file of the Inspector of Police, All Women Police Station, Mount Road, Chennai.

5. Both parties agree that they have no further claim against each other."

6. In terms of the settlement arrived at between the parties,

which is recorded under the Mediation Agreement, dated 01.12.2014 in terms of the Mediation Report, dated 01.12.2014 before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras this petition is disposed of, recording the terms of the Mediation Agreement. The terms of the Mediation Agreement, dated 01.12.2014 and the Mediation Report, dated 01.12.2014 of the Mediation Centre shall form part of this order.

23.12.2014

vj2

To

1.The Inspector of Police
All Women Police Station
Mount Road, Chennai.

2.The Public Prosecutor, High Court, Madras.

B.RAJENDRAN, J.

vj2

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