

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **09.07.2015**

CORAM :

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

**Crl.O.P.No.10131 of 2015
and
M.P.No.1 of 2015**

1.Dr.V.Gopi

2.Pooranie @ Pooranie Gopi

... Petitioners

vs.

State rep.by The Inspector of Police
K-4, Anna Nagar Police Station
Chennai.

... Respondents

Criminal Original Petition filed under Section 438 of the Cr.P.C., to enlarge the petitioners on bail in the event of their arrest concerned in Crime No.Not known of 2014 on the file of the respondent-police.

For Petitioner : Mr.S.Chandhan Babu

For Respondent : Mr.V.Arul,
Govt. Advocate (Crl. Side)
Mr.S.A.Rajan for Intervenor

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 on the file of the respondent police.

2. This Criminal Original Petition was referred for mediation to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras.

3. A communication dated 07.07.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 23.06.2015 has been received, wherein it is stated as follows:-

"Both the parties present and their counsels present. The parties have settled the matter amicably as per the terms cited in the Mediation Agreement, which is enclosed herewith. Hence the matter is placed before the Hon'ble Court. "

4. As the parties have arrived at a settlement in terms of the Mediation Agreement, this petition is listed for passing of an order in terms of the said agreement.

5. The Mediation Agreement, 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. The petitioner accepted to pay a sum of Rs.18,00,000/- [Rupees eighteen lakhs only] in full and final settlement of the entire liability due to the defacto complainant Dr.K.R.Sekar.

2. The petitioner accepted to pay a sum of Rs.50,000/- [Rupees fifty thousand only] on or before 31.07.2015.

3. The petitioner agree to pay the balance sum of Rs.17,50,000/- [Rupees seventeen lakhs fifty thousand only] in equated monthly instalments of Rs.30,000/- every month from 25.12.2015 and 25th of every succeeding month to complete the same within a period of 59 months.

4. The petitioner agrees to pay interest at the rate of 2% per month if he fails to pay the monthly instalment.

5. The petitioner and the defacto complainant entered into the Memo of Compromise on their own will and volition without any coercion or undue influence.

6. The petitioner and the defacto complainant agree that the same may be recorded in the above CrI.O.P and this memorandum of compromise may be treated as a decree for Rs.18,00,000/- [Rupees eighteen lakhs only]."

6. In terms of the settlement arrived at between the parties which is recorded under the Mediation Agreement between the parties in terms of

the report dated 23.06.2015 from the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, this Criminal Original Petition is disposed of recording the terms of the Mediation Agreement. The terms of the Mediation Agreement and the report of the Mediation Centre shall form part of the order. Connected miscellaneous petition is closed.

09.07.2015

vj2

Index: Yes/No

Internet: Yes

To :

1. The Inspector of Police
K-4, Anna Nagar Police Station
Chennai.
2. The Public Prosecutor, Madras
3. The Assistant Registrar,
Tamil Nadu Mediation and Conciliation Centre,
High Court, Madras-600 104.

B.RAJENDRAN, J.

vj2

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