

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.04.2015**

CORAM :

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Crl.O.P.No.20556 of 2014

M.Muthukumaran

... Petitioner

vs.

State rep.by The Inspector of Police
W-6, All Women Police Station
Avadi, Chennai 600 054.

... Respondents

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

For Petitioner : Mr.M.Gangadharan

For Respondents : Mr.R.Prathap Kumar,
Govt. Advocate (Crl. Side)
Mr.R.Ranjit Kumar for
defacto complainant

ORDER

The prayer in the Criminal Original Petition is to enlarge the petitioner on bail in the event of his 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 08.04.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 17.03.2015 has been received, wherein it is stated as follows:-

"Both parties present. Parties arrived at a settlement and filed the Joint Compromise memo between the parties before the Mediation Centre. Both parties informed that all the terms in the Joint Compromise Memo dated 10.12.2014 filed by them is complied herewith by 16.03.2015. Further, both parties withdrawn the complaint filed against each other today, i.e.,17.03.2015 before the Inspector of Police, W-6, All Women Police Station, Avadi, Chennai and the copy of the same is enclosed herewith. Hence the matter is sent back to the Hon'ble Court. "

4. As the parties have arrived at a settlement in terms of the Joint Compromise Memo between the parties, this petition is listed for passing of an order in terms of the Memo.

5. The Joint Compromise Memo between the parties, signed by the parties and their respective counsel reads as follows:-

"This compromise entered at Chennai on this the 10th day of December 2014 between 1) Mr.M.Muthukumaran, Son of Murugesan, at No.6/1, Thayar Syed 2nd street, Anna Salai, Chennai 600 002 hereinafter called the party of the 1st part; and Ms.S.Maniza, daughter of Sekar, Pillayar Koil Street, Kollumedu, Chennai hereinafter called the party of the 2nd part.

WHEREAS, since a complaint lodged by the 2nd party with AWPS, Avadi, the 1st party was constrained to file anticipatory bail application before the Hon'ble High Court, Madras, wherein the Hon'ble High Court referred the matter to mediation centre. During the Mediation before the Tamil Nadu Mediation Centre, the issue between them is settled on 24.11.2014, that the party of the 1st part agreed to pay a compensation of Rs.3,50,000/- [Rupees three lakhs and fifty thousand only] to the party of the 2nd part, who accepted and agreed to receive the same by way of four (4) equal monthly instalments. Accordingly on 24.11.2014 from and out of the 1st instalment amount a sum of Rs.75,000/- [Rupees seventy five thousand only] has been paid by the 1st party to the 2nd party which was received and duly acknowledged and accepted to receive

the balance 1st instalment amount of Rs.12,500/- along with the 2nd instalment to be payable between the dates of 1st to 5th of January 2015, ie., Rs.1,00,000/- [Rupees one lakh only]. Further, the 1st party to pay the remaining 3rd and 4th instalment amounts @ Rs.87,500/- each between the dates of 1st to 5th of February and between the dates of 1st to 5th of March 2015 for which the 2nd party also agreed and accepted the same.

After receipt of the said amount in entirety, the 2nd party agreed and undertake that she shall not make any claim as against the 2nd party in future at any point of time or lodge complaint in any manner. The complaint already given to AWPS, Avadi, will be withdrawn as agreed."

6. In terms of the settlement arrived at between the parties which is recorded under the Joint Compromise Memo between the parties in terms of the report dated 17.03.2015 from the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, this Criminal Original Petition is disposed of recording the terms of the Memo of Compromise. The terms of the Memo of Compromise and the report of the Mediation Centre shall form part of the order.

vj2

23.04.2015

To :

1.The Inspector of Police
W-6, All Women Police Station
Avadi, Chennai 600 054.

2. The Public Prosecutor, Madras

2.The Assistant Registrar,
Tamil Nadu Mediation and Conciliation Centre,
High Court, Madras-600 104.

B.RAJENDRAN, J.

vj2

Dated: 23.04.2015