

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-06-2015

Coram

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

Criminal Original Petition No. 21033 of 2014

1. D. Rupan
2. A. Dharmaraj
3. D. Selvi

.. Petitioners

Versus

State represented by
The Inspector of Police
All Women Police Station
Melmaruvathur
Kancheepuram District

.. Respondents

Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure praying to enlarge the petitioners/accused on anticipatory bail in the event of arrest by the respondent in Crime number not known of 2014.

For Petitioners	:	Mr. R. Chandrasudan
For Respondent	:	Mr. Arul
		Government Advocate (Crl.side)
		Ms. T.R. Thara for Defacto Complainant

ORDER

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

2. A communication dated 19.01.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 19.01.2015 has been received, wherein 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 Honourable Court"

3. As the parties have arrived at a settlement in terms of the agreement entered into between them, this Criminal Original Petition is listed for passing an order in terms of the settlement.

4. The Memorandum of Compromise dated 19.01.2015 has been entered into between the first petitioner and the defacto complainant. The memorandum of compromise has been duly signed by the parties in the presence of witnesses which reads as follows:-

"1. Both the petitioner/husband and the wife/defacto complainant have agreed to file a petition by mutual consent in March 2016 before the concerned Court after the completion of statutory period of separation before filing mutual consent.

2. The petitioner/husband agrees to pay a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand Only) as permanent alimony to the wife/defacto complainant

3. The wife/defacto complainant has agreed to receive 50% of the amount now and the balance 50% of the amount at the time of filing divorce petition during March 2016. An amount of Rs.40,000/- (Forty Thousand Only) as a demand draft bearing No.388844 dated 19.01.2015 drawn at the Indian Overseas Bank, Velacherry has been received by the defacto complainant from the petitioner. An amount of Rs.35,000/- (Rupees Thirty Five Thousand Only) as a demand draft bearing No.388653 dated 19.12.2014 drawn at the Indian Overseas Bank, Velacherry has already been received by the defacto complainant. The total amount so far received is Rs.75,000/- (Rupees Seventy Five Thousand Only)

4. Both parties agreed to exchange the jewels at the time of filing divorce petition. The petitioner/husband is in possession of one gold chain belonging to wife-defacto complainant and the defacto complainant is in possession of a Thali and a Finger ring belonging to the petitioner.

5. The wife/defacto complainant agrees to withdraw the complaint given before the respondent police at the earliest point of time.

5. Having regard to the fact that the defacto complainant has agreed for a compromise and the parties have arrived at a settlement of the dispute before the Tamil Nadu Mediation and Conciliation Centre attached to this Court, by entering into a Memorandum of Compromise on 19.01.2015, this Court is inclined to record

such compromise arrived at between the parties. Accordingly, In terms of the settlement arrived at between the parties which is recorded under the Mediation Agreement by the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras in its Report dated 19.01.2015, this Criminal Original Petition is disposed of recording the said compromise. The Mediation Agreement and the report of the Mediation Centre shall form part of this order.

04-06-2015

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B. RAJENDRAN, J

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