

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2015

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

Crl.O.P.No.16105 of 2015

RameshNivash

... Petitioner/Accused

Vs

State rep. By Inspector of Police,
All Women Police Station,
Vadapalani,
Chennai

(Crime No.not known of 2015)

... Respondent/Complainant

Criminal Original Petition filed under Section 438 Cr.P.C. to release the petitioner on bail in the event of arrest by the respondent police pending investigation in Crime No.not known of 2015 on the file of Inspector of Police, All Women Police Station, Vadapalani, Chennai.

For Petitioner : Mr.R.Muniyapparaj

For Respondent : Mr.V.Arul,
Govt. Advocate (Crl. Side)

For Intervenor : Mr.R.Sreerangam, Defacto Complainant

ORDER

The prayer in the Criminal Original Petition is to release the petitioner on bail in the event of arrest by the respondent police pending investigation in Crime No. not known of 2015 on the file of Inspector of Police, All Women Police Station, Vadapalani, Chennai.

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 01.07.2015.

3. A communication, dated 14.10.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its Mediation Report, dated 13.10.2015, has been received, and in the said Mediation Report, it is stated as follows:-

"Both the parties 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 dated 13.10.2015, this petition is listed for

passing orders in terms of the said Mediation Agreement.

5. The Mediation Agreement, dated 13.10.2015 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 parties have decided to dissolve their marriage solemnized on 08.08.2014 at Snow Hall, Tuticorin.

2.The parties have today filed a petition for divorce by mutual consent before the Family Court at Chennai.

3.The parties have exchanged their respective articles/belongings and do not have any further claim against each other in the future. The parties agreed that this is full and final settlement mutually.

4.The defacto complainant/wife withdraws all the allegation made against the petitioner/husband in the criminal complaint filed and pending on the file of th Vadapalani,

All Women Police Station, Chennai and hereby undertake to withdraw the said complaint at the earliest.

5.Both the parties hereby undertake to appear before the concerned Family Court, Chennai when the case is called for further hearings and until the passage of the decree of divorce."

6. In terms of the settlement arrived at between the parties, which is recorded under the Mediation Agreement, dated 13.10.2015 in terms of the Mediation Report, dated 13.10.2015 before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, this petition is disposed of, recording the terms of the Mediation Agreement, dated 13.10.2015. The terms of the Mediation Agreement, dated 13.10.2015 and the Mediation Report, dated 13.10.2015 of the Mediation Centre shall form part of the order.

15.10.2015

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To,

- 1.The Inspector of Police, All Women Police Station,
Vadapalani,Chennai
- 2.The Public Prosecutor, High Court, Madras.

B.RAJENDRAN, J.

smi

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