

In the High Court of Judicature at Madras

Dated: 4.2.2015

CORAM:

The Hon'ble Mr.Justice M.JAICHANDREN
and
The Hon'ble Mrs.Justice ARUNA JAGADEESAN

H.C.P. No.3115 of 2014

P.Gugan

... Petitioner

vs.

1. The Commissioner of Police,
Salem.

2. The Inspector of Police,
Kannangkurichi Police Station, Salem Dist.

3.Thiyagarajan

4. T.Kumathavalli

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying for the relief as stated therein.

For petitioner : Ms.Sumithra Vasudevan

For respondents : Mr.A.N.Thambidurai, APP
1 & 2

Ms.A.Madhumathi for R3 & R4

O R D E R

This Habeas Corpus Petition has been filed seeking to direct the 2nd respondent to secure the petitioner's wife, viz., T.Divya, aged 23 years, who is in the illegal custody of respondents 3 and 4, and produced her before this Court and set her at liberty.

2. The matter was referred for mediation to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, by the order of this Court, dated 3.2.2015.

3. A communication, dated 3.2.2015, of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, has been received,

enclosing a copy of the Mediation Report, dated 3.2.2015, stating that the matter has been settled amicably between the parties concerned, as per the terms cited in the Mediation Agreement, dated 3.2.2015.

4. As the parties have arrived at a settlement, in terms of the Mediation Agreement, dated 3.2.2015, this Petition is listed today, as directed by this Court.

5. The Mediation Agreement, dated 3.2.2015, signed by the parties, as well as their respective counsels, 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 Detenue/Wife had expressed her willingness to go with the Petitioner/Husband. The Petitioner/Husband along with his parents agreed to take her.
2. The Wife Detenue/Wife agrees that she will not claim any right from her parents property. The Petitioner and his parents also agreed for the same.
3. The parents of the Detenue agreed that they will not interfere in the matrimonial life of the Petitioner/Husband and the Detenue/ Wife. Similarly the Detenue and the Petitioner/Husband will not interfere with the Detenue/Wife's parents.
4. Both parties agreed that they will withdraw the complaints filed against each other."

6. In terms of the settlement arrived at between the parties, which is recorded under the Mediation Agreement, dated 3.2.2015, this Habeas Corpus Petition is disposed of. The terms of the Mediation Agreement, dated 3.2.2015, shall form part of the record.

Sd/-

Asst. Registrar

/true copy/

Sub Asst. Registrar.

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To

1. The Commissioner of Police,
Salem.
2. The Inspector of Police,
Kannangkurichi Police Station,
Salem Dist.
3. The Public Prosecutor, High Court, Madras.
4. The Assistant Registrar,
Tamil Nadu Mediation and conciliation centre,
High court, Madras.

+1cc to Ms.A.Madhumathi, Advocate, S.R.No.5620
+1cc to Mr.B.Vasudevan, Advocate, S.R.No.5705

HCP No.3115 of 2014

GJ(CO)
CA(27/02/2015)



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