

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2015

CORAM

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Original Petition No. 32572 of 2014

K. Raja

.. Petitioner

Versus

1. State by
Deputy Superintendent of Police
Pennagaram
Dharmapuri District

2. Sub Inspector of Police
DSP Office
Pennagaram
Dharmapuri District

.. Respondents

Criminal Original Petition filed under Section 438 of Cr.P.C. praying to grant anticipatory bail to the petitioner in the event of his arrest concerned in Crime Number not known of 2014 on the file of the respondent police.

For Petitioner	:	M/s. CJ Lawyers Associates
For Respondents	:	Mr. M. Mohammed Riyaz
		Government Advocate (Crl.side) for RR1 and 2
		M/s. Kingsley Solomon for defacto complainant

ORDER

This Criminal Original Petition was referred to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras to explore the possibility of a settlement of the dispute between the parties.

2. A communication dated 23.09.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 14.09.2015 has been received, wherein it is stated as follows:-

"Petitioner and Defacto Complainant appeared before the Court along with their counsel. Parties arrived at an amicable

settlement as per the terms in the Mediation Agreement enclosed herewith. Hence the matter is sent back to the Honourable Court."

3. As per the Mediation report dated 14.09.2015, the petitioner as well as the defacto complainant have arrived at a compromise and it was reduced in to writing. The terms and conditions of the agreement has been duly signed by the parties in the presence of witnesses which 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 and the defacto complainant settled the disputes amicably for a sum of Rs.31,00,000/- (Rupees Thirty One Lakhs Only)

2. Accordingly petitioner already paid a sum of Rs.15,00,000/- to the defacto complainant. Defacto complainant acknowledges the receipt of the same.

3. Petitioner agreed to pay the balance amount of Rs.16,00,000/- to the defacto complainant on or before 01.03.2016. Defacto complainant agreed the same.

4. On receipt of balance sum of Rs.16,00,000/- the defacto complainant agree to withdraw the complaint against the petitioner before the Respondent/The Sub Inspector of Police, DSP Office, Pennagaram, Dharmapuri."

4. Today, when the Criminal Original Petition is taken up for hearing, counsel for the petitioner and the defacto complainant, in appreciation of the mediation work carried out by the Mediation Centre, have voluntarily consented to pay a sum of Rs.10,000/- each totalling a sum of Rs.20,000/- to the Tamil Nadu Mediation and Conciliation Centre attached to this Court. The said statement of the counsel for both sides is recorded. The petitioner and the defacto complainant shall pay said amount to the credit of Tamil Nadu Mediation and Conciliation Centre, High Court, Madras within a period of three weeks from the date of receipt of a copy of this order.

4. Having regard to the fact that the petitioner as well as the defacto complainant have entered into a memorandum of compromise, 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 14.09.2015, this Criminal Original Petition is disposed of. The Mediation Agreement and the report of the Mediation Centre shall form part of this order.

08-10-2015

rsh

B. RAJENDRAN, J

rsh

CrlOP No. 32572 of 2014

08-10-2015