

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-04-2015

Coram

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

Criminal Original Petition No. 247 of 2015

Prabhu

.. Petitioner

Versus

State represented by
Inspector of Police
W-32, All Women Police Station
Madipakkam, Chennai
(Crime No.19 of 2014)

.. Respondent

Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure to enlarge the petitioner on Anticipatory Bail, in the event of his arrest, in Crime No. 19 of 2014 on the file of the respondent.

For Petitioners	:	Mr. C.S. Saravanan
For Respondent	:	Mr. R. Prathap Kumar Government Advocate (Crl.side)

ORDER

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

2. A communication dated 25.03.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 11.03.2015 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 Memo for compromise 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 11.03.2015 has been entered into between the petitioner, his father and the defacto complainant. The memorandum of compromise has been duly signed by the parties in the presence of witnesses which reads as follows:-

"The petitioners submit that the first petitioner herein has falsely implicated them for the alleged offence under Section 376, 325 and 506 (i) I.P.C. and under Section 4 of Women Harassment Act.

2. The petitioners submit that both of them filed anticipatory bail petition before this Honourable Court in CrI.OP No. 31331 of 2014 for the first petitioner and the same was dismissed on 02.12.2014 and in CrI.OPN o. 31332 of 2014 for the second petitioner and the same was granted on 02.12.2014 and hence the first petitioner preferred second anticipatory bail petition before this Honourable Court in CrI.OP No. 247 of 2015 and in the same this Honourable Court referred the matter to the Mediation Centre on 28.01.2015 and gave a protection to the first petitioner till the disposal of the mediation and now in the mediation both the parties appeared and on 27.02.2015 they arrived for compromise and the Mediation Centre adjourned to 09.03.2015 and in the mean while the petitioners filed a quash petition before the Hon'ble High Court in CrI.OP No. 5966 of 2015 and the same came up today before the Honourable Court and in the same as compromise arrived between the parties, the second respondent (victim) received Rs.13,00,000/- as expenses spent for medical and legal battle and this Hon'ble Court recorded the submissions made by the victim in the open Court that she do not want to proceed further in any manner, in the interest of both the parties and quashed the FIR vide Crime No.19 of 2014 on the file of the first respondent, the same was accepted by the first petitioner.

Hence, it is prayed that this Honourable Mediation Centre record the above compromise and pass orders suitably.

5. It is brought to the notice of this Court by the learned counsel for the petitioners the CrI.OP No. 5966 of 2015 filed by the petitioner herein and his father Mr. P.S.Sridharan to quash the FIR in Crime No. 19 of 2014 was allowed by this Court on 11.03.2015 and a copy of the order dated 11.03.2015 in CrI.OP No. 5966

of 2015 has also been produced for perusal of this Court.

6. 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 11.03.2015, 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 11.03.2015, 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.

23-04-2015

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B. RAJENDRAN, J

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