

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-08-2015

Coram

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

Criminal Original Petition No. 16510 of 2014

Saravanan

.. Petitioner

Versus

1. The Inspector of Police
B-2, Vishnu Kanchi Police Station
Kancheepuram

2. Thamarai Selvi

.. Respondent

Petition filed under Section 482 of Cr.P.C. praying to call for the records in Crime No. 355 of 2014 on the file of the B-2, Vishnu Kanchi Police Station, Kancheepuram District and quash the same against the petitioner.

For Petitioner	:	Mr. D. Magesh
For Respondent	:	Mr. Mohammed Riyaz Government Advocate (Crl. Side) Mr. S. Kathiravan for R2

ORDER

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

2. A communication dated 01.12.2014 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 27.11.2014 has been received, wherein it is stated as follows:-

"All the parties appeared before the Centre along with their counsel. Parties arrived at an amicable settlement as per the terms in the Joint Memo of Compromise entered into between the family members enclosed herewith Hence, the matter is sent back to the Hon'ble 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. As per the Mediation report dated 27.11.2014, 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 compromise has been duly signed by the parties in the presence of witnesses wherein it was stated as follows:-

"Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows:-

1. AS per the compromise entered between the parties, the 2nd respondent and Malarselvi have received Acre 0.10 Cents each situated in Orikkai Village, Kancheepuram, comprised in Survey No. 169/3 and 169/4 from the petitioner by way of registered settlement deed No.7238 dated 26.11.2014.

2. The 2nd respondent and Malarselvi admit that they have no objection or any right in the house property situated at No.75, Arupermselvi Street, Kancheepuram and the 2nd respondent and Malarselvi undertake that they will not claim any share in the said house property. Further, the 2nd respondent and Malarselvi permit the petitioner to possess Acre 0.10 cent of land situated at Orikkai Village, Kancheepuram for the purpose of Ramalingam future maintenance.

3. The petitioner submits that he has provided 10 sovereign of Gold jewels belonging to his mother to each of his sisters namely 2nd respondent and Malarselvi who is willing to keep the remaining jewels with him and the 2nd respondent and Malarselvi have consented for the same.

4. The 2nd respondent and Malarselvi have given Rs.2,00,000/- by cash to their father namely Ramalingam for his expenses. Further, M.S. Dayalan (Ramalingam Son-in-law) have deposited a sum of Rs.2,00,000/- jointly on his name and on his father-in-law Mr. Ramalingam name in Fixed Deposit bearing No.50248334086 at Allahabad Bank, Kancheepuram. Further, M.S. Dayalan permits Mr. Ramalingam to receive the monthly interest from the said sum from the bank till his life time.

5. All the parties agreed that in future any disputes arise in the newly formed layout namely Aruljothi Nagar, Kancheepuram they will bear the expenses and they have to settle amicably between them.

6. All the parties undertakes that they will not initiate any Civil or Criminal proceedings against each other before any forum with regard to the movable or immovable properties belonging to themselves.

7. Second respondent and Malarselvi agreed to withdraw the above suit in O.S. No. 271 of 2013 pending on the file of Subordinate Court, Kancheepuram and the Crime No.355/2014 pending before the first respondent/The Inspector of Police, B-2, Vishnu Kanchi Police Station, Kancheepuram against the petitioner."

5. 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 27.11.2014, 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.

06-08-2015

rsh

B. RAJENDRAN, J

rsh

CrIOP No. 16510 of 2014

06-08-2015