

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2015

CORAM:

THE HON'BLE Ms. JUSTICE K.B.K.VASUKI

Crl.O.P.No.16970 of 2014
and M.P.No.1 of 2014

1.Raja Mohammed @ M.K.M.Mohammed Kasim
2.Jayakumar ... Petitioners/Accused
Vs.

State by Inspector of Police Team-1
Central Crime Branch
Chennai-7.(Crime No.228/14) ... Respondent/Complainant

Criminal Original Petition is filed under Section 438 of the Code of Criminal Procedure, praying to enlarge the petitioner on bail in the event of their arrest in crime No.228 of 2014 on the file of the respondent.

For Petitioners : Mr.M.Srividhya
For Respondents : Mr.Prabhakar, GA (crl side)
Mrs.D.Kamatchi for intervenor.

O R D E R

Both the petitioners by names Raja Mohammed @ M.K.M.Mohammed Kasim and Jayakumar and the defacto complainant/intervenor by name S.Nanjunda Swamy along with their respective learned counsel on record and the learned Government Advocate (Crl.Side) representing the State are present and are heard.

2.This petition is filed to enlarge the petitioners on bail, in the event of their arrest pending investigation in Crime No.228 of 2014 on the file of the respondent Police.

3.This Court by order dated 23.7.2014 directed the matter to be posted before the Tamil Nadu Mediation and Conciliation Centre for mediation. In pursuance of the same, the parties appeared for mediation and settled the dispute between them.

4.As per the mediation report dated 20.1.2015, enclosing mediation agreement, received from Tamil Nadu Mediation and Conciliation Centre, the petitioners/accused and the defacto complainant/intervenor have entered into amicable settlement in respect of the dispute between them before the Mediation Centre. The mediation agreement further says that the parties, out of their own

volition and without any pressure or coercion from any side, have settled the dispute between them.

5.The Mediation Agreement dated 20.1.2015 signed by both the parties along with their respective counsel on record, reads as follows:

(i)The petitioners paid a sum of Rs.81,00,000/- (Rupees eighty one lakhs only) towards full and final settlement to the Defacto complainant towards the complaint transaction and the Defacto complainant acknowledges the receipt of the same.

(ii)The Defacto complainant agrees to withdraw the complaint on the file of the Inspector of Police, Team-I, Central Crime Branch, Chennai-4.

(iii)Both parties agree that they have no further claim against each other.

6.In view of the settlement so arrived at between the parties, which is recorded under the Mediation Agreement and the Mediation Report dated 20.1.2015, by the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras and also considering the submission made by the learned Government Advocate (Crl.Side) that in view of the settlement arrived at between the parties, the action initiated against the petitioners has been dropped, this petition is disposed of, recording the terms of the Mediation Agreement dated 20.1.2015. The Mediation Agreement and the Mediation Report dated 20.1.2015 shall form part of this order. Connected M.P is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police Team-1,
Central Crime Branch, Chennai-7.

2.The Public Prosecutor, High Court, Madras-104.

+ 1 cc to M/s. D. Kamatchi, Advocate Sr.8175
+ 1cc to M/s. M. Srividhya, Advocate SR.7989

Crl.O.P.No.16970 of 2014

RV(CO)
Eu 31.03.15