

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-06-2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Original Petition No. 18373 of 2014

Kamatchi @ Hemavathi

.. Petitioner

Versus

The State represented by
The Inspector of Police
All Women Police Station
Mylapore, Chennai

... Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to issue a direction to the Inspector of Police, All Women Police Station, Mylapore, Chennai to register a first information report on the basis of the complaint dated 31.05.2014 given by the petitioner.

For Petitioners : Mr. M. Sridhar

For Respondent : Mr. Arul
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 05.01.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 05.01.2015 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 mediation agreement 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 05.01.2015 has been entered into between the first petitioner and the defacto complainant. The memorandum of compromise has been duly signed by the parties in the presence of witnesses which reads as follows:-

1. Proposed party/Mr. P. Ellappan paid a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand Only) by way of Cheque No.000018 dated 23.12.2014 drawn on Bank

of Baroda to the petitioner and the petitioner acknowledges the same

2. Proposed party/Mr. P. Ellappan has returned 68 items of house hold articles (enclosed herewith) to the petitioner/Kamatchi @ Hemavathi on 23.12.2014 and the petitioner/Kamatchi @ Hemavathi acknowledges the receipt of the same

3. Today the petitioner has returned (1) one gold ring of 2 gm weight (2) one gold Thali and (3) one Saree worth Rs.7,500/- to the proposed party/Mr. P. Ellappan and the proposed party/Mr. P. Ellappan acknowledges the receipt of the same.

4. The petitioner agrees to withdraw the complaint on the file of the Inspector of Police, All Women Police Station, Mylapore, Chennai against the proposed party/Mr. P. Ellappan

5. Both parties agree that they have no further claim against each other.

5. Having regard to the fact that the petitioner 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 05.01.2015, 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 05.01.2015, 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.

*Enclosed herewith xerox copy of Memo of compromise interms of Mediation Agreement.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1. The Inspector of Police
All Women Police Station
Mylapore, Chennai

2. The Public Prosecutor
High Court, Madras

Copy to

The Assistant Registrar
Tamilnadu Mediation and Conciliation Centre
High Court, Madras

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