

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2015

CORAM

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Original Petition No. 4741 of 2015

R. Vijay

.. Petitioner

Versus

The State represented by
Inspector of of Police
All Women Police Station
Villiyanoor
Puducherry

.. Respondent

Criminal Original Petition filed under Section 438 of Cr.P.C. praying to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No. 2 of 2015 pending investigation on the file of the respondent police.

For Petitioner	:	Mr. M. Gnanasekar
For Respondent	:	Mr. M. Mohammed Riyaz Government Advocate (Crl.side) Mr. A.P. Rajagopal 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 14.07.2015 has been received, wherein it is stated as follows:-

"Both parties appeared before the Centre 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 14.07.2015, 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. That the petitioner/R. Vijay shall pay a sum of Rs.8,00,000/- (Rupees Eight Lakhs Only) on or before 20.08.2015 being the loan incurred by the petitioner and the defacto complainant

2. The defacto complainant agrees to withdraw the complaint which is pending against the petitioner before the respondent/The Inspector of Police, All Women Police Station, Villiyanoor, Puducherry in Crime No. 2 of 2015 and agrees not to give any complaint against the petitioner in this regard in future. The defacto complainant and the petitioner also undertakes that they will not interfere with the life of each other.

3. Petitioner and Defacto Complainant agrees that they will not have any other claims against each other."

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.20,000/- each totalling a sum of Rs.40,000/- 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 the 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.

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 14.07.2015, 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

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B. RAJENDRAN, J

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