

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services
Committee

Friday the 12th day of August 2016

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE J.A.K.SAMPATH KUMAR (Retd.)
and

Members:

Mr.D.Ramakrishnan

Ms.Daniel Mary

Crl.R.C.No.1371 of 2014

(Criminal Revision is filed under Section 397 r/w 401 of Code of Criminal Procedure praying to set aside the conviction and sentence passed on 18.12.2013 in S.T.C.No.211 of 2012 by the Judicial Magistrate, Fast Track Court, Attur, which confirms the order passed in Crl.A.No.5 of 2014, dated 03.11.2014 by the learned Principal Sessions Judge, Salem).

Madheswaran ... Petitioner

Vs.

Shanmugam ... Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.L.Muthusamy, learned counsel appearing for the petitioner and Mr.C.Prabakaran, learned counsel appearing for the respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

O R D E R

Both the parties and their respective counsel are present. Joint Memo of Compromise is filed and it reads as follows:-

"It is submitted that the petitioner/accused and respondent/complainant arrived a full and final settlement for a sum of Rs.70,000/- (Seventy thousand only) on 16.3.2016. The petitioner paid cash to the respondent and the respondent made an endorsement to that on 16.3.2016. Further both parties agreed for payment on dates as follows:-

1.	18.4.2016	Rs.10,000
2.	14.6.2016	Rs.20,000
3.	18.7.2016	Rs.15,000
4.	18.8.2016	Rs.15,000

Total Rs.60,000

2.It is submitted that as per the settlement the petitioner paid cash Rs.10,000/- to the respondent on 18.4.2016 and after receiving amount the respondent made an endorsement on 18.4.2016. Further on 14.6.2016 the petitioner paid cash Rs.10,000/- to the respondent and the respondent made an endorsement on 14.6.2016 to that effect.

3.It is submitted that as per the settlement dated 16.3.2016 the petitioner has to pay Rs.60,000/-, the petitioner paid only Rs.20,000/- to the respondent, remaining balance amount Rs.40,000/- paid cash by the petitioner to the respondent and the respondent made an endorsement today.

4.It is submitted that the respondent totally received a sum of Rs.70,000/- as per the settlement and he has no claim against the petitioner, the respondent has no objection to set aside the conviction and sentence passed by the Judicial Magistrate, Fast Track, Attur in S.T.C.No.211/2012.

Hence, it is therefore prayed that this Hon'ble Court (Lok Adalat-II) may be set aside the conviction and sentence passed by the Judicial Magistrate, Fast Track, Attur in STC No.211/2012 and may be set the petitioner/accused at liberty and thus render justice.

Dated at Chennai this the 12th day of August 2016.

sd/-xxx

Counsel for Petitioner

Sd/-xxx

Petitioner

sd/-xxx

Counsel for Respondent

Sd/-xxx

Respondent"

2.Since the offence is only compoundable and the parties have settled the matter amicably, the conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court, Attur, in S.T.C.No.211 of 2012 dated 18.12.2013, which is confirmed in Criminal Appeal No.5 of 2014, dated 03.11.2014 passed by the learned Principal Sessions Judge, Salem, are hereby set aside and the petitioner/accused is acquitted and he is set at liberty, forthwith, unless his presence is required in connection with any other case.

3. In view of that, the Criminal Revision Case is disposed of as per the terms of the compromise memo.

4.The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

sd/-
MEMBER

sd/-
JUDGE

Sd/-
Asst.Registrar (CS V)

sd/-
MEMBER

/true copy/

Sub Asst. Registrar

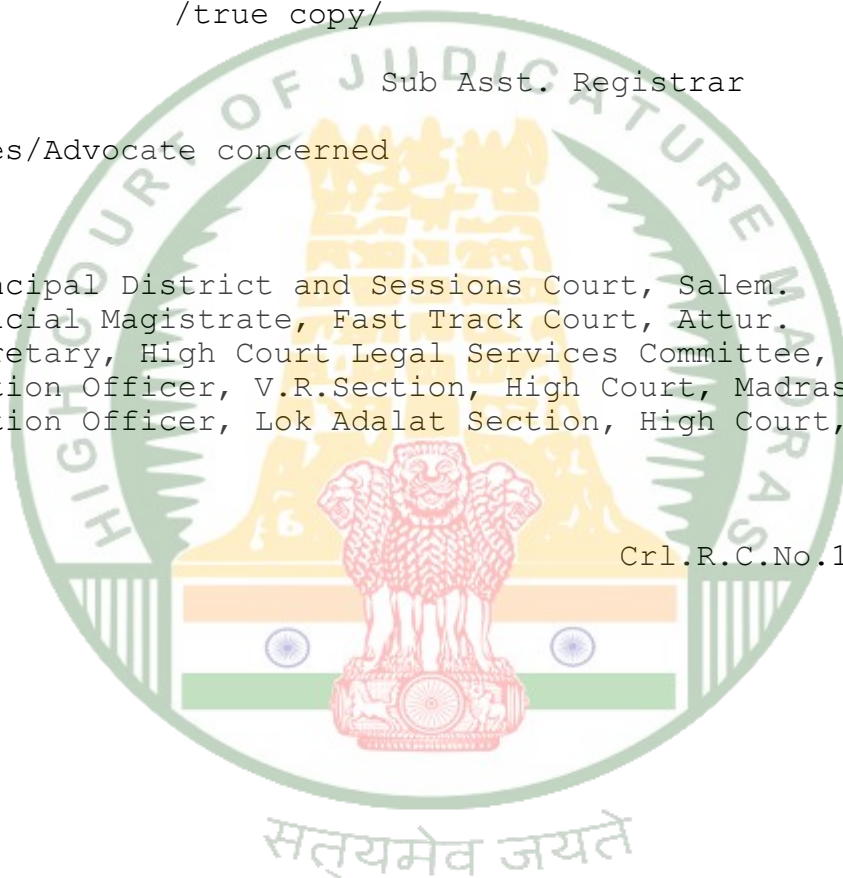
To
The parties/Advocate concerned

Copy to

- 1.The Principal District and Sessions Court, Salem.
- 2.The Judicial Magistrate, Fast Track Court, Attur.
- 3.The Secretary, High Court Legal Services Committee, Chennai.
- 4.The Section Officer, V.R.Section, High Court, Madras.
- 5.The Section Officer, Lok Adalat Section, High Court, Madras.

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Cr1.R.C.No.1371 of 2014



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