

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.A.No.188 of 2012

R.Dhanapal

..

Appellant

Vs

N.Chandrasekaran

..

Respondent

Prayer : This Criminal Appeal is filed under Section 378(4) of Cr.P.C. to set aside the order of acquittal made under the judgment dated 29.06.2011 made in C.A.No.147 of 2010 on the file of the Additional District Judge-cum-Fast Track Court No.IV, Bhavani reversing the judgment dated 25.10.2010 made in C.C.No.14 of 2008 on the file of II Additional District Munsif Court, Bhavani and convict the respondent herein for the offence under Section 138 of the Negotiable Instruments Act.

For Appellant : Ms.P.Sharmila for Mr.V.Rajesh

For Respondent : Mr.I.C.Vasudevan

J U D G E M E N T

This appeal is arising out of the offence under Section 138 of the Negotiable Instruments Act. Thereby, acquitted the respondent by the Additional District Judge-cum-Fast Track Court No.IV, Bhavani in Criminal Appeal No.147 of 2010 reversing the conviction and sentence passed by the II Additional District Munsif Court, Bhavani in C.C.No.14 of 2008.

2. This appeal was referred to Mediation and Conciliation Centre, High Court, Madras, for settlement. The parties have appeared in Mediation and arrive the following settlement agreement.

"This SETTLEMENT AGREEMENT entered into on 20.06.2018 between R.Dhanapal, S/o.Ramasamy Gounder, Mariamman Kovil Street, Thalapalayam, Olagadam, Bhavani, Erode District.

and
N.Chandrasekaran, S/o.G.Nachimuthu, No.25/5, Lakshmi
Nagar, Ammapettai Post, Bhavani Taluk, Erode District.

WHEREAS

1. Disputes and differences had arisen between the parties hereto and Crl.A.No.188 of 2012 was filed on 19.12.2011 before Madras High Court, Chennai.
2. The matter was referred to mediation/conciliation vide an order dated 14.03.2018 passed by the Hon'ble Mr.Justice R.Suresh Kumar.
3. The parties agreed that Ms.Chitra Narayan would act as their Mediator/Conciliator.
4. Several meetings were held during the process of Mediation/Conciliation from 26.03.2018 to 20.06.2018 and the parties have with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.
5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator/Conciliator.
6. The respondent has paid the appellant a sum of Rs.2,50,000/- vide D.D.No.158830 dt.20.06.2018 drawn on Corporation Bank, Paruvachi Branch, Erode, which the appellant acknowledges, in full and final settlement of all their disputes.
7. The appellant will withdraw the case in Crl.A.No.188 of 2012 pending before the Hon'ble High Court of Madras.
8. By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to Crl.A.No.188/2012 and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of Conciliation/Mediation".

In view of the above settlement agreement between the parties, this Criminal Appeal is disposed of. There shall be no order as to costs.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

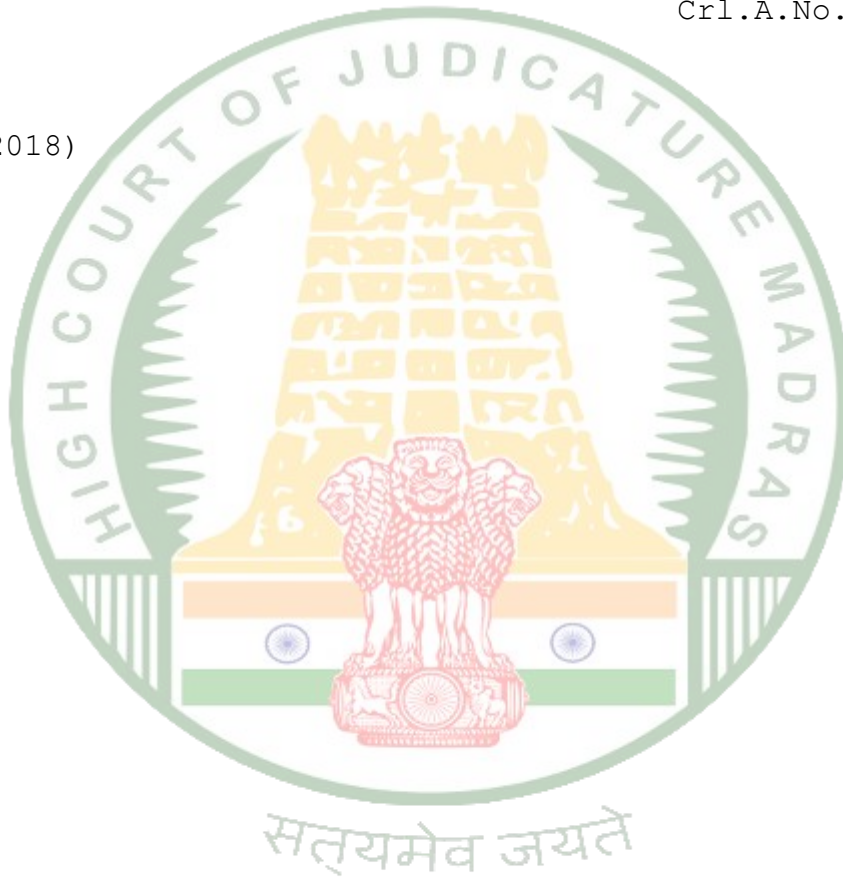
LPP

To

1. The Additional District Judge cum FTC
No.4 Bhavani.
2. The II Additional District Munsif Court
Bhavani.

Crl.A.No.188 of 2012

VGII (CO)
SP (30/07/2018)



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