

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-II organised by the High Court Legal Services
Committee

Friday, the 01day of February 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE K.GNANAPRAKASAM (Retd.)
and

Members

Mr.V.C.Suresh, Sub Judge.

Mr.P.A.Kadirvel, Advocate

CRL.RC.No.1009 of 2015

Prayer : Criminal Revision Case filed praying to set aside the judgment passed by the Hon'ble Additional District and Sessions Judge, & Chief Judicial Magistrate, Ariyalur in Criminal Appeal No.7 of 2014 dated on 24.04.2015 in C.C.No.147 of 2007, Judicial Magistrate, Ariyalur whereby acquit the petitioner herein.

Saminathan .. Petitioner / Appellant /Accused

Vs.

Boopathy Respondent / Respondent /Complainant

This case came up for settlement before the Lok Adalat. Mr.R.Prabu, learned advocate for the petitioner is present. Mr.T.S.Bhaskaran, learned advocate for the respondent is present.

TERMS OF SETTLEMENT

Petitioner and the learned advocate for the petitioner are present. The respondent is not present. But however, his advocate, viz., Mr.T.S.Bhaskaran, is present and stated that his client has instructed him that the matter is settled and requested to file the Joint Compromise Memo.

2. Both parties state that the matter has been compromised and settled out of Court and also filed a Joint Memo of Compromise and the same taken on file which reads as under:-

" 1. That the petitioner and the respondent have entered into a Compromise and thereby settled all their differences.

2. That the petitioner has paid a sum of Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand only) to the respondent towards the full and final settlement of the cheque in No.346858 dated 30.10.2006 and all the claims towards the respondent against the petitioner.

3. That the petitioner pursuant to order dated 22.09.2015 in MP. No.1 of 2015 in CrI.RC.No.1009 of 2015 passed by this Hon'ble High Court, the petitioner has deposited Rs.87,500/- (Rupees Eighty Seven Thousand Five Hundred only) being 25% of the cheque amount) to the credit of C.C.No.147 of 2017 on the file of the learned Judicial Magistrate, Ariyalur. The said amount shall be withdrawn by the petitioner himself. The respondent has no claim over the said amount deposited by the petitioner herein.

4. That the petitioner, who is on bail, may be, hereby discharged from the liability of the bail bonds.

5. That in view of the above, the parties hereby be allowed to compound the offence.

The parties hereby most respectfully pray that this Hon'ble Court may be pleased to record this memo and set aside the judgment passed by the Hon'ble Additional District and Sessions Judge, & Chief Judicial Magistrate, Ariyalur in Criminal Appeal No.07 of 2014 dated on 24.04.2015, whereby, the Hon'ble Additional District and Sessions Judge & Chief Judicial Magistrate, Ariyalur has confirmed the order of conviction passed in C.C.No.147 of 2007 dated 29.04.2014 by Hon'ble Judicial Magistrate Court, Ariyalur, as settled out of court and thereby acquit the petitioner herein and thus render justice.

3. In view of the Joint Compromise Memo, the petitioner is entitled to receive the amount of Rs.87,500/- deposited by him before the Learned Judicial Magistrate, Ariyalur together with accrued interest thereon.

4. The award is passed in terms of Joint Memo of Compromise and it shall form part of this award.

5. The full Court fee shall be refunded to the petitioner in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and 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 and there shall be no demand for additional Court fee.

Enlcosed the joint memo of Compromise

Sd/-
Saminathan

Sd/-
Counsel for the
petitioner

Sd/-
Counsel for the Respondent

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

Copy to:

1. The Additional District and Sessions Judge, & Chief Judicial Magistrate, Ariyalur

2. The Judicial Magistrate, Ariyalur

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.+2 copies

CRL.RC.1009 OF 2015

A.SK (21/02/2019)