

Bail Slip

The Appellant herein/Accused namely G.Venkataramachandran Managing Director, M/s.Coimbatore Popular Spinning Mills Ltd., Coimbatore, was directed to be released on bail vide order of court dated 02/11/2015 made in MP.NO.1 of 2015 in CrI.Rc.No.1150 of 2015.

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 19th day of March, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mrs. Hemalatha Daniel
Mr. Gnanalingam

CrI.RC.No.1150 of 2015

Criminal Revision Petition filed under Section 397 and 401 of Cr.P.C to set aside the order of conviction and sentence passed by the Metropolitan Magistrate FTC - III, Saidapet, Chennai in CC.No.8398 of 2003 dated 27.03.2013 confirmed by the appellate court F.A.C XIX Additional District Session Judge, Chennai in C.A.No.87/2013 on 14.07.2015.

1.M/s.Coimbatore Popular Spinning Mills Limited,
Rep.by its Managing Director,
C.Venkataramachandran
No.657, Avanashi Road, Coimbatore - 641 037.

2.G.Venkataramachandran
Managing Director,
M/s.Coimbatore Popular Spinning Mills Ltd.,
No.657, Avanashi Road,
Coimbatore - 641 037. ..Petitioner/Appellant /Accused

Vs

M/s.Hamilton Fuel Corporation,
No.16, NainarNadam Road,
(Hamilton Bridge), Mylapore,

Chennai - 4.

..Respondent/Respondent/Complainant

This case has been listed today and came up for settlement before the Lok Adalat. Learned counsel for the appellant Mr.R.Krishnasamy, Mr.G.Venkataramachandran, Managing Director of the Petitioner / Accused, Mr.S.Radhakrishnan, original complainant, Mr.M.Manthiram, Power of Attorney are all appeared in persons. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

ORDER

1. The Criminal Revision Petition No.1150 of 2015 pending on the file of the High Court, Madras and preferred against the conviction and sentence in C.A.No.87 of 2013 imposed on the Revision Petitioner herein on the file of F.A.C XIX, Additional District Session Judge, Chennai, which was preferred against the conviction and sentence passed in CC.No.8398 of 2003 on the file of Metropolitan Magistrate, Fast Tract Court No.III, Saidapet, Chennai, has been referred to Lok Adalat for Conciliation today.

2. The complainant M/s.Hamilton Fuel Corporation, Chennai -4, appeared party in person and appellants 1 & 2 who are accused before the Trial Court assisted by counsel are present before Lok Adalat for conciliation today.

3. The fact remains that the accused 1 and 2 in the complaint given by M/s.Hamilton Fuel Corporation, Chennai -4 are appellants 1 & 2 before Hon'ble High Court, Madras and the accused have been convicted and sentenced by the Trial Court and the appeal filed by the appellants herein as appellants before the F.A.C. XIX Additional District Session Judge, Chennai in C.A.No.87 of 2013 has also been dismissed by confirming the conviction and sentence passed by the Trial Court. Aggrieved at the above said conviction and sentence, this Criminal Revision Petitioner has been filed by the appellants herein.

4. The endorsement made in the Court record of the Lower Court before Lok Adalat on 03.01.2019 would disclose that a sum

of Rs.7,50,000/- has been paid by the appellants to the respondent herein by means of Demand Draft bearing Number 780526 dated 13.12.2018 and 2nd payment of Rs.7,50,000/- has also been paid by the appellants herein to the respondent by means of Demand Draft bearing Number 706674 dated 21.01.2019. The above said compromised amount of Rs.15,00,000/- has already been deposited and recorded before Lok Adalat. A memo has also been filed by the Respondent / Complainant before Lok Adalat today to record the compromise and allow the appeal with appropriate orders / direction. Memo is recorded.

5. A Memo filed by the Respondent /Complainant before the Lok Adalat states that the sum of Rs.1,00,000/- deposited by the Accused as per the order of Sessions Court shall be permitted to be withdrawn before the Trial Court by the appellants.

6. In view of the compromise arrived at between both the parties and in view of the memo filed by the Respondent / Complainant, the Lok Adalat hereby declare and decree that the appeal stands allowed and the conviction and sentence imposed by the Trial court and confirmed by the First Appellate Court be set aside and appellants 1 and 2 are set at liberty forthwith. Suitable orders shall be passed by the learned Magistrate of Trial court in view of the award passed by Lok Adalat in this Criminal Revision Petition. The appellants are permitted to withdraw the abovesaid sum of Rs.1,00,000/- deposited by them from the competent Court, if the said amount is not withdrawn already. Award is passed accordingly. No order as to costs.

Sd/-

1.M/s.Coimbatore Popular Spinning Mills Limited,
Rep.by its Managing Director,
C.Venkataramachandran

Sd/-

2.G.Venkataramachandran

(Petitioners / Accused)

Sd/-

Counsel for the Petitioners/Accused

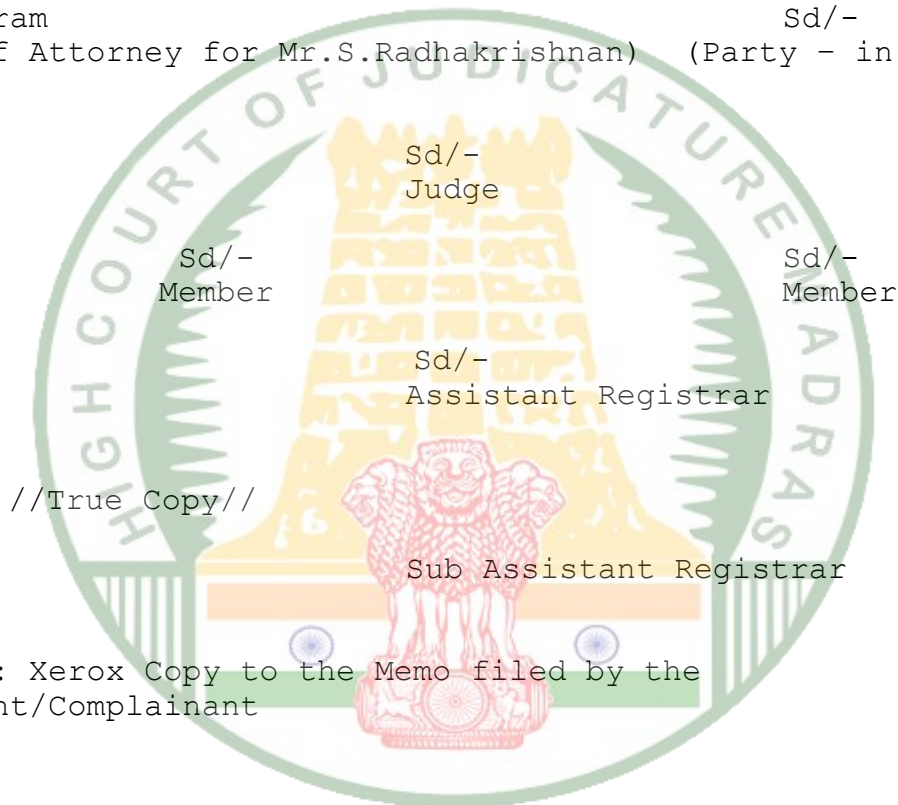
M/s.Hamilton Fuel Corporation,
No.16, NainarNadam Road,
(Hamilton Bridge), Mylapore,
Chennai - 4.
(Rep. By its Managing Director
S.Radhakrishnan)

(Respondent / Complainant)

Sd/-
(Party -in - person)

M.Mandhiram
(Power of Attorney for Mr.S.Radhakrishnan)

Sd/-
(Party - in - person)



Enclosed: Xerox Copy to the Memo filed by the
respondent/Complainant

To:

The parties/Advocate concerned

Copy to:

- 1.The XIX Additional District Session Court, Chennai.
- 2.The Metropolitan Magistrate, Fast Track Court No.III,
Saidapet, Chennai.
- 3.The Section Officer, Criminal Section, High Court, Madras.

4.The Secretary, High Court Legal Services Committee, Chennai.

5.The Section Officer, Lok Adalat Section, High Court, Madras. +
2 copies

Cr1.RC.No.1150 of 2015

nr 23/04/2019



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