

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Wednesday the 10th day of April 2019

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

Members

Mr.R.Doraiswamy
Mr.N.Balasubramanian

CRL.RC.No.700 of 2017

Prayer : Criminal Revision Case filed to set aside the conviction imposed in the judgment dated 17.09.2016 made in C.A.No.36 of 2014 on the file of the I Additional Sessions Judge, Erode, confirming the conviction imposed in judgment dated 03.04.2014 made in S.T.C.No.112 of 2011 on the file of the District Munsif cum Judicial Magistrate, Kodumudi by allowing this criminal revision petition.

T.S.Balu .. Petitioner
Vs.
V.Kanagasabapathy .. Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.M.Guruprasad, learned counsel for the petitioner and Mr.I.C.Vasudevan, learned counsel for the respondent are present. सत्यमेव जयते

TERMS OF SETTLEMENT

Both parties and their counsel are present. They filed a Joint Memo of Compromise, which reads as follows:-

The both parties beg to before the Hon'ble Lok Adalat that both are arrived a compromise on the following terms:-

1. The respondent / accused already paid a sum of Rs.3,10,000/- (Rupees Three lakhs and Ten Thousand only) for full and final settlement to the petitioner. Therefore, the petitioner hereby accepted no further claim from the accused.

2. The respondent / accused already been deposited before the lower trial court (Munsif cum Judicial Magistrate Court, Kodumudi) as per the direction of Appellate Court - (Hon'ble High Court of Judicature Madras).

3. The petitioner herein "no objection" to refund the said amount of Rs.50,000/- to the accused from the trial court.

4. The lower trial court convicted the respondent / accused for simple imprisonment of 6 months and a compensation of Rs.2,00,000/- (Rupees Two Lakhs only)

5. The appellate court also confirmed the trial court judgment wherein the appellate court ordered bail to the accused on deposit of Rs.50,000/- to the lower trial court and conditional order passed by the lower appellate court to appear the accused before the lower trial court every month of 1st date. The accused obey the said condition till date without fail.

6. In view of the above settlement, the lower trial court and lower appellate court orders of said conviction and sentence against the accused may be set-aside and set liberty. "

2. In view of the Joint Memo of Compromise, the Criminal Revision Petition is disposed of accordingly. Rs.50,000/- paid by the accused as directed by the Appellate Court in Crl.R.C.No.700 of 2017 dated 24.05.2017 in S.T.C.No.112 of 2011 on the file of the District Munsif cum Judicial Magistrate, Kodumudi is ordered to be returned to the accused / petitioner as per the Memo of Compromise. The conviction and sentence passed by the lower court made in S.T.C.No.112 of 2011 on the

file of the District Munsif cum Judicial Magistrate, Kodumudi is set aside and accused is set at liberty. The aforesaid Joint Memo of Compromise is recorded, it shall form part of the decree.

3. 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.

Sd/-
T.S.Balu

Sd/-
Counsel for the Petitioner

Sd/-
V.Kanagasabapathy

Sd/-
Counsel for the Respondent

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To:The parties/Advocate concerned

Copy to:

1. The Additional Sessions Judge, Erode.
2. The District Munsif cum Judicial Magistrate, Kodumudi.
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

+1cc to Mr.M.Guruprasad, Advocate sr.no.35829

nr 11/04/2019

CRL.R.C.No.700 of 2017