



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Seventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20136 of 2018

S.SIVALINGAM

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE
CITY CRIME BRANCH POLICE STATION,
TRICHY CITY, TRICHY.
(CRIME NO.40/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.UTHAYA KUMAR Advocate

For Respondent : MR.S.CHANDRASEKAR,
Additional Public prosecutor

For Intervenor : Mr.K.SIVABALAN, Advocate

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

[Orders Reserved on 18.11.2018]

This Court, on 09.11.2018, while granting interim bail to the petitioner, referred the matter to the Mediation and Conciliation Centre, attached to this Bench.

2. In view of the dispute between the petitioner and the defacto complainant with regard to joint ventures development of the petitioner's property, by the defacto complainant wherein each of them rights, liabilities and the manner in which the joint ventures to be executed have been clearly stated by way of Memorandum of Understanding. There seems to be some dispute with regard to the manner and the period in which the work has been progressed. It is an admitted fact that structure of the building to a desired level had already been raised. With regard to plastering, provisions of amenities and facilities are to be provided along with some construction work. In the Memorandum of Understanding there is a clause as regards approaching the civil Court as well as referring the matter to an Arbitrator. The parties to seek any remedy



before the appropriate forum.

3. It would be in the best in the interest of both the petitioner and the defacto complainant to sit across to sort out the differences and to complete the construction and take their respective portions, as decided earlier. without further precipitating the issue.

4. In view of the same, the interim bail already granted by this Court on 09.11.2018 is made absolute.

sd/-
07/01/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.IV,
TIRUCHIRAPPALLI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.
 3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH POLICE STATION,
TRICHY CITY, TRICHY.
 4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +2. CC to MR.K.SIVABALAN, Advocate SR.No.278,371

ORDER
IN
CRL OP(MD) No.20136 of 2018
Date :07/01/2019

AE/VR/SAR1/08.01.2019/2P/8C