



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.16856 of 2018

and

Crl.M.P.(MD).No.7467 of 2018

1.Jothi Gurusamy

2.Yonaus @ Yonaus Kirubala Mary ... Petitioner/Accused 2 & 3

-Vs-

1.The Inspector of Police,
Ponmalai Police Station,
Tiruchirapalli City.
(Crime No.354 of 2012)

... Respondent/Complainant

2.Viswasree

... Respondents/
Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.35 of 2017 on the file of the Judicial Magistrate Additional Mahila Court, Tiruchirapalli and quash the same as against the petitioners.

For Petitioners	: Mr.S.C.Herold Singh
For 1 st Respondent	: Mr.K.Suyambulinga Bharathi Government Advocate(crl.side)
For 2 nd Respondent	: Mr.S.M.Siddhardhan

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.35 of 2017 on the file of the Judicial Magistrate Additional Mahila Court, Tiruchirapalli.

2.A report, dated 01.02.2019 has been received from the Mediation and Conciliation Centre attached to this bench, in which it was recorded that the matter has been settled between the parties and the settlement agreement is extracted hereunder:

"1.Disputes and differences had arisedn between the parties hereto and Crl.O.P.(MD).No.897 of 2019 was filed 31.01.2019 and Crl.O.P.(MD).No.16856 of 2018 was filed on 11.09.2018 before the Court.



2.The matter was referred to Mediation/ Conciliation vide an order dated passed by the Hon'ble Mr.Justice G.K.ILANTHIRAIYAN.

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3.The parties agreed that Mr.M.M.E.Phillips and Selvi B.C.Catherine Evi would act as their Mediator.

4.Several meetings were held and during the process of Mediation / Conciliation from 25.01.2019 to 01.02.2019 and all the parties have with the assistance of the Mediator 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 Mediators.

6.The following settlement has been arrived at between the parties hereto:

1.The petitioners in Both undertake that they will not in any way interfere with any of the rights of the second respondent.

2.Both parties agree that there will not be any claim or counter claims as against each other.

3.The petitioners will not in any way interfere or cause any inconvenience to the second respondent and her family in future.

4.In view of the petitioners have already vacated the premises and the same was also recorded in the civil proceedings before the concerned lower Court, the second respondent have no objection to allow the Crl.O.P.(MD). No.16856/2018 and 897/2019 before the Court and the petitioners will not interfere with the peaceful possession of the property of the second



respondent.

7.By signing this agreement all the parties hereto state that they have no further claims or demands against each other with respect to CrI.O.P.(MD).No.16856/2018 and 897/2019 and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of conciliation /Mediation."

4.In view of the above, no useful purpose will be served in keeping the trial in C.C.No.35 of 2017 Pending before the learned Judicial Magistrate Additional Mahila Court, Trichy. Hence, the proceedings in C.C.No.35 of 2017 on the file of the Judicial Magistrate Additional Mahila Court, Trichy is hereby quashed. Accordingly, this Criminal Original Petition stands allowed and the settlement agreement between the parties shall form part of this order. Consequently, the connected CrI.M.P.(MD).No.7467 of 2018 is closed.

Sd/-

Assistant Registrar()

// True Copy //

Sub Assistant Registrar(CS)

vsg

ENCL.: XEROX COPY OF MEDIATION REPORT.

To

1.The learned Judicial Magistrate
Additional Mahila Court,
Tiruchirapalli.

2.The Inspector of Police,
Ponmalai Police Station,
Tiruchirapalli City.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.S.C.HEROLD SINGH , Advocate Sr. No. 88464

CrI.O.P.(MD)No.16856 of 2018
20.09.2019

DB (CO)

TR(17.10.2019) 3P 5C