

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.6735 of 2018
and Crl.M.P.No.3461 of 2018

L.Yuvaraj
S/o.Loganathan

... Petitioner

Vs.

Madhan Vivekanandan,
S/o.Vivekanandan

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.T.C.No.27 of 2017 on the file of the learned Judicial Magistrate, Tambaram and quash the same.

For Petitioner : Mr.V.Krishnamoorthy

For Respondent : Mr.Dalit Tiger C.Ponnusamy

ORDER

The petitioner accused in S.T.C.No.27 of 2017 for the offence under Section 138 of Negotiable Instruments Act pending before the learned Judicial Magistrate, Tambaram has filed this quash petition.

2.During the proceedings both the parties agreed for mediation. Thereafter the case referred to the Tamil Nadu Mediation and Conciliation Centre and on 20.11.2019, settlement has been arrived between the petitioner and the respondent and the mediation report has also produced before this Court. The relevant portion of the mediation report is extracted hereunder:

"A. Mr.L.Yuvaraj, the petitioner herein has offered to pay Rs.20 lakhs to Mr.Madha Vivekanandan, the respondent herein by way of Two Demand Drafts (1) D.D.No.502704 for Rs.10 lakhs and (2) D.D.No.502705 for Rs.10 lakhs both taken in ICICI Bank, Sowarpet Branch towards full and final settlement. The above said Two DD's for Rs.20 lakhs were handed over to the respondent today (20.11.2019).

B. Further, the Respondent herein has expressed no objection in allowing the above CrI.O.P.No.6735 of 2018 (on the file of the High Court of Madras) and to quash the S.T.C Case No.27 of 2017 pending on the file of the learned Judicial Magistrate, Tambaram filed against the petitioner herein."

3.In view of the settlement arrived between the petitioner and the respondent, the proceedings in S.T.C.No.27 of 2017 on the file of the learned Judicial Magistrate, Tambaram is hereby quashed.

4.Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Judicial Magistrate, Tambaram.

2.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.6735 of 2018
and CrI.M.P.No.3461 of 2018

BR(CO)
SP(11/01/2021)

सत्यमेव जयते

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