



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.03.2022
CORAM
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

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Crl.O.P(MD)No.12818 of 2021
and
Crl.M.P(MD)No.6591 of 2021

1.Marimuthu
2.Sarathkumar
3.Ramesh
4.David Selvaraj
5.Jeyakodi
6.Maheswari

... Petitioners/
Accused Nos.1 to 6

Vs .

1.The State represented by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.198 of 2018)

... 1st Respondent/
Complainant

2. Senthilmurugan

... 2nd Respondent/
Defacto Complainant

3.Packiyam
4.Kamaraj

... Respondents 3 & 4/
Injured Persons

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in Crime No.198 of 2018 pending investigation on the file of the first respondent police and quash the same.

For Petitioners : Mr.B.Senthilkumar
For Respondents : Mr.B.Thanga Aravindh
Government Advocate(Crl.Side) for R.1
Mr.S.P.Edinbrough for R.2 to R.4

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.198 of 2018 on the file of the respondent police.

2.The case of the prosecution is that on 01.10.2018 the petitioners were went to the second respondent's house and attacked the second respondent with iron rod and caused injuries to him. At that time of occurrence, the respondents 3 and 4 also present and try to secure the second respondent and the petitioners were attacked the respondents 3 and 4 also. Hence they also sustained



injuries. The injured persons were admitted in the Aruppukkottai Government Hospital and gave a complaint to the first respondent police and the same was registered in Crime No.198 of 2018 for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

3. The learned counsel for both the parties submitted that this Court on 03.09.2021 had referred the matter before the Mediation and Conciliation Centre attached to this Bench and before mediation all the parties have entered into compromise and settled the issue amicable. The mediation agreement is as follows:-



Tamil Nadu Mediation and Conciliation Centre
Madurai Bench of Madras High Court, Madurai.

MEDIATION REPORT

Mediation File No. 350/2021, 496/2021 & 507/2021

Court Case No. CRL OP(MD) 1833/2021, CRL OP(MD) 12818/2021 & CRL OP(MD) 13232/2021

Referred By THE HONBLE MR. JUSTICE G. ILANGOVAR

Date of Referral 23/07/2021

Name of the Mediator MR. V. MAHARAJAN

Dates of Mediation Sessions 03/08/2021 TO 04/10/2021

Name of the Petitioner KAMARAJ IN CRL OP(MD) 1833/2021
MARIMUTHU & 5 OTHERS IN CRL OP(MD) 12818/2021
GANESH KUMAR & 4 OTHERS IN CRL OP(MD) 13232/2021

Name of the Respondent MARIMUTHU IN CRL OP(MD) 1833/2021
SENTHIL MURUGAN, PACKIYAM & KAMARAJ IN CRL OP (MD) 12818/2021
MARIMUTHU IN CRL OP(MD) 13232/2021

Counsel for Petitioner M/S P. EDINBROUGH IN CRL OP(MD) 1833/2021
M/S B. SENTHIL KUMAR IN CRL OP (MD) 12818/2021 & CRL OP(MD) 13232/2021

Counsel for Respondent M/S B. SENTHIL KUMAR IN CRL OP(MD) 1833/2021
M/S P. EDINBROUGH IN CRL OP(MD) 12818/2021 & CRL OP (MD) 13232/2021

Mediation completed. Agreement enclosed

Dated: 07/10/2021

Signature of the Mediator(s)
7/10/2021



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23/8

04/08/2021

From

To

MR.A.VIJAYARAM MAHESWARI,
Assistant Registrar,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

The Co-Ordinator,
Mediation and Conciliation
centre, Madurai Bench
of Madras High
Court,
Madurai.

Sub: CRL.OP(MD) NO. 1833 of 2021 Madurai Bench of Madras High Court,
Madurai referred to Mediation and Conciliation centre

Ref: High Court Order in CRL.OP(MD) NO. 1833 of 2021 dt. 23.07.2021

Sir / Madam,

As Directed,I am to forward herewith a copy of the order of the High Court in CRL.OP(MD) NO. 1833 of 2021 dated 23/07/2021, along with necessary papers for further action.

I am to inform that MR.V Mahurajan,learned Advocate, is appointed as Mediator,to conduct the Mediation in this case .The parties should appear before the Mediator,in his office on 08.08.2021,at the time fixed by him.

I am also to inform that the Hon'ble High Court posted the case for hearing on 23-08/2021.The Mediation Report thereof along with the Mediation Agreement, if any ,may be sent to the Criminal Section, for placing the same before the Honourable Court, for consideration.

Yours faithfully,

Assistant Registrar (Crl,side)

Encl:

- 1.Copy of order
- 2.Copy of the petition /Affidavit



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SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT entered into on 04.10.2021 between

1) Ganesan Kumar, 2) Palarichamy, 3) Senthil murugan,
4) Karmaraj, 5) Pakkiam, 6) Muthumari.

1) Meenimuthu, 2) Senthil and
5) Jeyakodi 4) Maheshwari.

WHEREAS

1. Disputes and differences had arisen between the Parties hereto and
1) Cr. op. No. 1833/2021

2) Cr. op. No. 1288/2021
3) Cr. op. No. 17233/2021
High Court Madurai.

2. The matter was referred to mediation / conciliation vide an order dated

23.07.2021 } passed by The Honorable Mr. Justice G. Ilangoan.
03.09.2021 }

3. The parties agreed that V. Maheswaran would act as
their Mediator / Conciliator.

4. Several meetings were held during the process of Mediation
/ Conciliation from 03.08.2021 to 04.10.2021 and the parties
have with the assistance of the Mediator / Conciliator voluntarily arrived
at an amicable solution resolving the above mentioned disputes and





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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 Mediator/Conciliator.

- 2 -

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

A.T. Harimurthu and 5 others are
accused in cr.No: 198/2018.
Dcr.op No: 12818/2021.

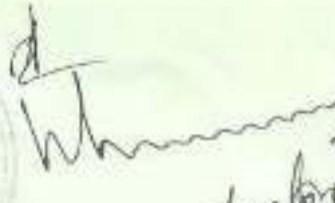


B. p. Ganesesh Kumar and 5 others are
accused in cr.No: 199/2018.
1) crl.op.No 1833/2021.
2) crl.op.No 13232/2021.

C. Both parties in the cr.No: 198/2018 and cr.No: 199/2018
agreed to quash the First Information Report
pending before the Thiruvanchi police.

7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to
cr.No: 198/2018
cr.No: 199/2018 (Case No) and all disputes and differences in
this regard have been amicably settled by the Parties hereto through the
process of conciliation /Mediation.

Separate sheet
has been collected
before and before
signatures with
respective Counsel
signature.


mediator
7/10/2021



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PARTIES' SIGNATURE

(Petitioner)

(Respondent)

COUNSELS' SIGNATURE

(Petitioner)

(Respondent)

1. 10/10/2021

1. *[Signature]*

2. *[Signature]*

2. *[Signature]*

3. *[Signature]*

3. *[Signature]*

4. *[Signature]*

4. *[Signature]*

5. *[Signature]*

5. *[Signature]*

6. *[Signature]*

6. *[Signature]*

[Signature]
CB. SENTHILKUMAR
Counsel for Petitioners.

[Signature]
A. NALLATHANESAN
Counsel for Respondent.



[Signature]
(V. Mahalingam)
mediator
4/10/2021



PARTIES AND COUNSELS DETAILS

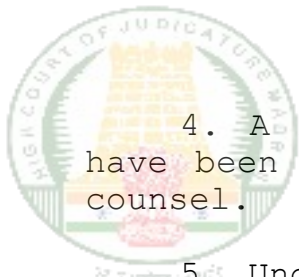
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Sl. NO.	NAME AND ADDRESS OF THE PARTIES	SIGNATURE AND CONTACT NUMBERS
1	Gnaneshwaram 2/48 East Street Alandipally Aruppukottai.	hemj 9943445270
2	Palanichamy - do -	A. Udayakumar
3	Senthilmurugan - do -	U. V. Senthil Kumar
4	Kannan - do -	P. Senthil Kumar
5	Parkkann - do -	U. V. Senthil Kumar
6	Muthusami - do -	U. V. Senthil Kumar
7	Counsel for Petitioner, A. NALLATHAMBI RAO. Advocate. 9566950660.	A. Nallathambi Rao 9/10/21



d

W. Senthil Kumar
(V. Senthil Kumar)
4-10-2021



4. A Mediation report has been filed before this Court which have been signed by both the parties and also by their respective counsel.

5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending before the respondent police. Even though, the offences involved are not compoundable in nature.

6. Based on the mediation report, this Criminal Original Petition is allowed and as a sequel, the proceeding in Crime No.198 of 2018, on the file of the first respondent police, is quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.EDIN BROUGH, Advocate (SR-9313[F] dated 01/03/2022)

+1 CC to M/s.B.SENTHILKUMAR, Advocate (SR-9556[F] dated 02/03/2022)

Cr1.O.P(MD)No.12818 of 2021
and
Cr1.M.P(MD)No.6591 of 2021
Date:01.03.2022

SA(12.04.2022) 9P 5C