



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.19291 of 2018

and

Crl.M.P(MD) No.8681 of 2018

WEB COPY

Ibrahim Kani ... Petitioner/ Sole Accused
Vs.

1. The State Represented by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(In Crime No.352 of 2016) ... 1st Respondent/ Complainant

2. Abul Kalam Aasath ...2nd Respondent/ Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to the P.R.C.No.14 of 2018 on the file of the Additional District Munsif cum Judicial Magistrate Court, Manamadurai, Sivagangai District quash the same.

For Petitioner : Mr.D.Anbarasu
For R1 : Mr.Mr.B.Nambi Selvan
Additional Public Prosecutor
For R2 : Mr.V.Malaiyendran

ORDER

This petition has been filed seeking to quash the proceedings in P.R.C.No.14 of 2018 on the file of the Additional District Munsif cum Judicial Magistrate Court, Manamadurai, Sivagangai District.

2. When the matter is taken up for hearing, the learned counsel appearing on either side would submit that the matter has been settled between the parties before the Mediation Centre. To that effect, they have also filed settlement agreement. The settlement that has been arrived between the parties are extracted hereunder:-

"A. The both the parties i.e., petitioner and the 2nd respondent in Crl.O.P(MD) No. 19291 of 2018 agreed to solve the case in order to that, the petitioner agreed to pay a sum of Rs.9,00,000/- (Rupees Nine Lakhs only) to the 2nd respondent by way of demand draft and the payment will be given to the 2nd respondent as two installments ie., first payment of Rs.5,00,000/- (Rupees Five Lakhs Only) to be paid on 12.04.2022



and the second payment of Rs.4,00,000/- (Rupees Four Lakhs only) will be paid on 21.04.2022.

B. Initially, at the time of filing quash petition, the case in PRC.No.14 of 2018 is pending on the file of the Additional District Munsif cum Judicial Magistrate, Manamadurai and subsequently, the said case was transferred to the Sub Court, Manamadurai being S.C.No.69 of 2021. Based on the settlement entered between the petitioner and the respondent, the respondent have no objection to quash the case in Crl.O.P (MD) No.19291 of 2018 on the filed of this Hon'ble Court.

C. The second respondent herein not at all claim anything with regard to the said issue in future and agreed to act as per the above said settlement entered between the petitioner and the second respondent by dated 01.04.2022.

7. By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to Crl.O.P(MD) No. 19291 of 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".

3. In view of the above said terms of settlement, this Criminal Original Petition is allowed and entire the proceedings in P.R.C.No.14 of 2018, on the file of the Additional District Munsif cum Judicial Magistrate Court, Manamadurai, Sivagangai District, is hereby quashed in respect of the petitioner/sole accused. The settlement agreement shall form part of this order. Consequently the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ebsi

ENCL:Xerox Copy of Settlement Agreement

<https://hcservices.ecourts.gov.in/hcservices/>



To

1. The Additional District Munsif cum Judicial Magistrate,
Manamadurai, Sivagangai District,

2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

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

+1 CC to M/s.V. MALAIYENDRAN, Advocate (SR-21545[F]
dated 27/04/2022)

+2 CC to M/s.D. ANBARASU, Advocate (SR-21670[F] dated 27/04/2022)
Crl.O.P. (MD) No.19291 of 2018
and
Crl.M.P (MD) No.8681 of 2018
25.04.2022

KG (CO)

GC (03.06.2022) 3P 7C