



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2023

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.18974 of 2021

Alexpandian

... Petitioner/Sole Accused

-vs-

State represented by
The Inspector of Police,
CCB Police Station,
Tirunelveli City,
Tirunelveli District
(Crime No.33 of 2017)

... Respondent/Complainant

A.Saravanan

... Petitioner/Intervener/Defacto Complainant
in CRL MP(MD).4909/2022 IN CRL OP(MD).18974/2021

PRAYER: Criminal Original Petition is filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.33 of 2017.

For Petitioner	: No Appearance
For Respondent	: Mr.K.Sanjay Gandhi Government Advocate (Crl.side)
For Intervenor	: Mr.T.Selvan

O R D E R

There is no representation for the petitioner. The learned Government Advocate and the learned counsel appearing for the intervenor are present.

2. The case of the prosecution is that by giving forged document, the accused had cheated the defacto complainant to the tune of Rs.2,24,000/-. Hence, the complaint.

3. On a perusal of records, it is seen that on 14.12.2021, the matter was referred to mediation and the parties were directed to appear before mediation on 07.01.2022. On 12.01.2022, it was represented that due to Covid lock-down, the mediation could not be conducted. On 02.09.2022, the matter was again referred to mediation and the parties were directed to appear on 19.09.2022.

4. Mr.Selvan, the learned counsel for the intervenor would submit that earlier the matter was referred to mediation and the intervenor/defacto complainant appeared before mediation centre whereas the petitioner did not appear stating that he was hospitalized. He would further submit that though the petitioner has



submitted that he is ready for settlement, he did not turn up for mediation. He would further submit that the petitioner, on the strength of the reference of matter to mediation, was enjoying the interim protection and thereafter he had failed to appear before the mediation.

5. Accordingly, this Criminal Original Petition is dismissed for non-prosecution.

sd/-

21/02/2023

/ TRUE COPY /

/03/2023

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

CM

To

1 THE INSPECTOR OF POLICE
CCB POLICE STATION, TIRUNELVELI CITY,
TIRUNELVELI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.C.MANIYARASU, Advocate (SR-2774[I] dated
23/02/2023)

ORDER

IN

CRL OP(MD) No.18974 of 2021

Date :21/02/2023

RS//SAR-1(09.03.2023) 2P 4C