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CrI.O.P.Nos.21841 & 22034 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM

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

CrI.O.P.Nos.21841 & 22034 of 2019
& CrI.M.P.Nos.11332 & 11432 of 2019

Dr.K.Chandra Sekar

... Petitioner in
both petitions

Vs.

K.Lavanya

... Respondent in
both petitions

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to quash STC Nos.559 of 2018 and 188 of 2019 pending on the file of District Munsif Court, Ranipet.

For Petitioner : Mr.R.Nilesh Kumar for
in both petitions Mr.A.Saravanan

For Respondent : Mr.P.Sankaranarayanan
in both petitions

COMMON ORDER

The above Criminal Original Petitions have been filed seeking
to quash STC Nos.559 of 2018 and 188 of 2019 pending on the file of



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District Munsif Court, Ranipet, for the offence under Section 138 of the Negotiable Instruments Act.

2.Today, when the criminal original petitions are taken up for hearing, the learned counsel appearing for both parties would submit that this Court, by an order dated 09.11.2023, had referred the matters to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, where the parties have arrived at a settlement and they have filed a common memo of compromise dated 05.02.2024 entered into between them. They had also filed a common full settlement memo dated 26.04.2024, which is extracted hereunder.

“1.It is submitted that on 05.02.2024 the common memo of compromise has been signed by the parties of the abovesaid case agreeing to the terms mentioned in the common memo of compromise.

2.As per the terms in the common memo of compromise the petitioner has handed over DD for a sum of Rs.5,00,000/- (Rupees five lakhs only) in the name of the Minor drawn on Karur Vysya Bank Limited, Rajaji Nagar Branch, Bangalore,



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bearing D.D.No.137896 dated 02.02.2024 and agrees to pay the balance sum of Rs.32,50,000/-(Rupees thirty two lakhs fifty thousand only).

3.It is submitted that the petitioner has handed over DD for a sum of Rs.32,50,000/- (Rupees thirty two lakhs fifty thousand only) in the name of the minor drawn on Axis Bank, Doddballapur Main Branch, Bangalore, bearing D.D.No.000155 dated 20.04.2024.

4.As per the common Memo of Compromise signed by both the parties dated 05.02.2024, the petitioner has made his full and final settlement to the respondent of Rs.37,50,000/- (Rupees thirty seven lakhs and fifty thousand only) as mentioned in the common memo of compromise hereinabove the respondent will not make any further/future claims, demands or disputes against the petitioner thereafter, as this will be the last and final settlement settled by the petitioner.

5.The common Memo of compromise filed before this Hon'ble Court taken as part and parcel of this memo.”



3. In view of the compromise entered into between the parties, these criminal original petitions have been posted before this Court with the Mediation Report dated 13.02.2024. Pursuant to the compromise, the petitioner had agreed to pay a sum of Rs.37,50,000/- (Rupees thirty seven lakhs and fifty thousand only) and had also paid the agreed amount by way of two Demand Drafts drawn in favour of the respondent's minor son viz.,(i)Karur Vysya Bank Limited, Rajaji Nagar Branch, Bangalore bearing D.D.No.137896 dated 02.02.2024, a sum of Rs.5,00,000/- and (ii)Axis Bank, Doddballapur Main Branch, Bangalore, bearing D.D.No.000155 dated 20.04.2024 for a sum of Rs.32,50,000/-.

4.The petitioner is none other than the father in law of the respondent and based on the compromise, the respondent has received Rs.37,50,000/-(Rupees thirty seven lakhs and fifty thousand only) in favour of her minor son. She has no objection for quashing the proceedings pending against the petitioner on the file of District Munsif Court, Ranipet.

5.At this juncture, the learned counsel for the petitioner would also submit that the petitioner had given a counter complaint against the



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respondent before the Vishveshwarapuram Police Station, Bangalore, which has been registered in Crime No.0030 of 2018, which has culminated in C.C.No.27650 of 2018 on the file of Chief Judicial Magistrate, Bangalore, and the petitioner agrees to co-operate with the respondent for withdrawing the proceedings based on the compromise.

6.Recording the same, these criminal original petitions stand allowed and the proceedings pending in STC Nos.559 of 2018 and 188 of 2019 on the file of District Munsif Court, Ranipet, stand quashed. The petitioner is directed to withdraw C.C.No.27650 of 2018 on the file of Chief Judicial Magistrate, Bangalore, as agreed. The common memo of compromise dated 05.02.2024 filed by the parties before the mediation shall form part of the record. Consequently connected miscellaneous petitions are closed.

05.11.2024

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A.D.JAGADISH CHANDIRA,J.

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