



2025:KER:31554

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

CRL.MC NO. 8838 OF 2022

CRIME NO.1201/2011 OF Museum Police Station, Thiruvananthapuram

IN CC NO.75 OF 2013 OF JUDICIAL MAGISTRATE OF FIRST CLASS -

V, THIRUVANANTHAPURAM(SPECIAL COURT-MARKLIST CASES)

PETITIONER/ACCUSED:

JITHIN RAJ R,
AGED 36 YEARS
S/O. RAJAN, MELEVILA PUTHEN VEEDU, T.C.5/255, BGRA-17
INDIRA BHAVAN, PEROORKADA, THIRUVANANTHAPURAM DISTRICT.
PIN CODE:-695008

BY ADV P.M.SANEER

RESPONDENTS/STATE & CW1:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682031
- 2 SAJEEV. P.S.
SAJEEV. P.S., S/O. SASIDHARAN NAIR, CHARGE OFFICER,
PATTAM BRANCH, MUTHOOT VEHICLE AND ASSET FINANCE LTD,
RESIDING AT SAJEEV BHAVAN, ERAPPUKUZHI, ERAPPUKUZHI
DESOM, KUDAPPANAKKUNNU VILLAGE, THIRUVANANTHAPURAM
DISTRICT. PIN CODE: 695043.

BY ADV SABU S.KALLARAMOOLA
SMT. PUSHPALATHA. M.K, SR.PP.

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
10.04.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



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Crl.M.C.No.8838 of 2022

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ORDER

Dated this the 10th day of April, 2025

The dispute which led to the registration of crime has been settled through mediation. Memorandum of agreement is also made available.

The Crl.M.C is hence disposed of in terms of settlement and making the memorandum of agreement a part of this order.

**Sd/-
V.G.ARUN
JUDGE**

SSK/10/04



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APPENDIX OF CRL.MC 8838/2022

PETITIONER ANNEXURES

- | | |
|-------------------|---|
| Annexure A | THE CERTIFIED COPY OF THE FIR IN CRIME
NO.1201/2011 OF MUSEUM POLICE STATION
THIRUVANANTHAPURAM |
| Annexure B | THE CERTIFIED COPY OF THE FINAL REPORT IN
CRIME NO.1201/2011 OF MUSEUM POLICE STATION |
| Annexure C | THE FINAL REPORT IN CRIME NO. 1201/2011
SUBMITTED BEFORE THE JUDICIAL FIRST CLASS
MAGISTRATE-V THIRUVANANTHAPURAM FILED ON
20/3/2017 |

RESPONDENTS EXHIBITS : NIL

TRUE COPY

P.A. TO JUDGE

ERNAKULAM MEDIATION CENTRE

(HIGH COURT HALL)

(2nd floor, above SBI, High Court Building, Ernakulam, Kochi-31. (Ph:0484-2562238).

EMC/Reg No. 2009/22

Dated 28/03/2023

From

The Nodal Officer,
High Court Mediation Centre.

To

The Registrar (Judicial)
High Court of Kerala, Ernakulam.

Sir,

Sub : Mediation of case referred by the Hon'ble High Court of Kerala -
reg.

Ref : Referral Order in G/M. Appl 1/2022 In G/MC 8838/2022
dated 07/12/2022 of the Honorable High Court of Kerala

I am to forward herewith Report of the Mediator in the matter along
with the enclosures for information and necessary action.

Yours Faithfully,

L-m. Cst
Nodal Officer, AMBILIP
Ernakulam Mediation Centre

- Encl:- 1. Report of the Mediator, Settlement Agreement
2. Copy of the referral order dated 07/12/2022 of the High Court of Kerala..
3. Copy of the Petition

Erne D'sa
No
29.3.23 RCV
Reg. (Judl.)

✓

BEFORE THE HONOURABLE HIGH COURT OF KERALA

AT ERNAKULAM

CRL.MC No. 8838 OF 2022

Jithin Raj R

: Petitioner

Vs.

State of Kerala & Anr

: Respondents

REPORT SUBMITTED BY THE MEDIATOR

ADV. SUNNY XAVIER

Mediated, matter is settled.

Terms and conditions are attached herewith.

Dated this the 27th day of March, 2023.



Adv. Sunny Xavier
Mediator

Ernakulam Mediation Centre

BEFORE THE HONOURABLE HIGH COURT OF KERALA

AT ERNAKULAM

CRL.MC No. 8838 OF 2022

Jithin Raj R

: Petitioner

Vs.

State of Kerala & Anr

: Respondents

MEMORANDUM OF AGREEMENT UNDER SECTION 89 OF THE CODE OF CIVIL PROCEDURE READ WITH RULES 24 & 25 OF THE CIVIL PROCEDURE (ALTERNATIVE DISPUTE RESOLUTION), RULES, 2008:

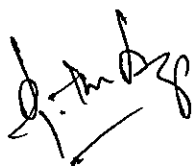
The parties have agreed to amicably settle the dispute as per the following terms and conditions:

1. The Petitioner/Accused will pay an amount of Rs.4,00,000/- (Rupees Four lakhs only) as full and final settlement.
2. Towards the above said Rs.4,00,000/- (Rupees Four lakhs only) an amount of Rs.30,000/- (Rupees Thirty thousand only) was paid in cash on 13/03/2023.
3. An amount of Rs.20,000/- (Rupees Twenty thousand only) paid on 14/03/2023.
4. The Petitioner further paid an amount of Rs.28,000/- (Rupees Twenty eight thousand only) on 21/03/2023.

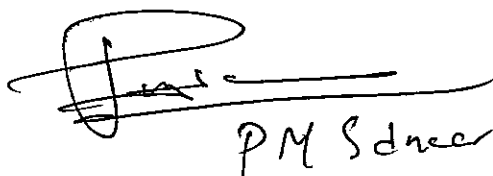
For MUTHOOT VEHICLE & ASSET FINANCE LTD.



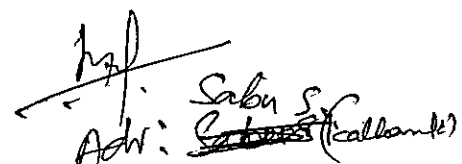
Authorized Signatory



Kerala State Mediation and Conciliation Centre
High Court of Kerala
Kochi - 682 031



PM Sdnee



Adv: Sabin S (Callander)

5. The Petitioner further remitted an amount of Rs.1,00,000/- (Rupees One lakh only) on 25/03/2023.
6. An amount of Rs.72,000/- (Rupees Seventy two thousand only) is paid today.
7. The balance amount of Rs.1,50,000/- (Rupees One lakh fifty thousand only) will be paid on or before 30/06/2023.
8. If the Petitioner complies with the above terms the 2nd party/ 2nd respondent will file affidavit for quashing the entire criminal proceedings against the petitioner.
9. If the petitioner fails to pay the balance amount of Rs.1,50,000/- (Rupees One lakh fifty thousand only) on or before 30/06/2023 the criminal proceedings against the petitioner as CC.No.75/2013 on the file of JFCM Court-V (Special Court for mark list cases) Thiruvananthapuram will continue in accordance with law.

Dated this the 27th day of March, 2023.

Petitioner

Jithin Raj R

2nd Respondent

Sajeev P.S

For MUTHOOT VEHICLE & ASSET FINANCE LTD

Authorised Signatory

Counsel for the Petitioner

P M Saneer
(K/1548/95)

Counsel for the 2nd Respondent

Sabu S. (Kallaramada)
(K/1249/98)

Kerala State Mediation and Conciliation Centre
High Court of Kerala
Kochi - 682 031