



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.11.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.13632 of 2017

1.Hithayathulla
2.Bharathidasan
3.George Fernandas
4.J.Priskilla
5.V.Rajeswari

... Petitioners

-Vs-

1.State of Tamil Nadu
rep. by the Inspector of Police,
City Crime Branch, Trichy.
(Crime No.34 of 2017)

2.G. Vignesh

... respondents

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records in Crime No.34 of 2017 on the file of the first respondent and quash the same.

For Petitioners : Mr.B. Sudha Sathy Ananth

For R-1 : Mr.A. Ramar
Additional Public Prosecutor

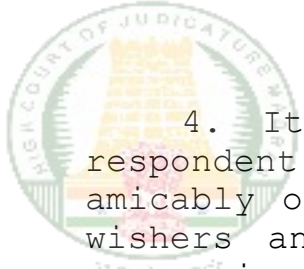
For R-2 : Mr.D. Rathinavel Pandian

O R D E R

This Criminal Original petition is filed to call for the records relating to the FIR in Crime No.34 of 2017 on the file of the first respondent and quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent no. 1 and the learned counsel appearing for the second respondent.

3. The petitioners are accused nos. 1 to 5 in Crime No. 34 of 2017. On the basis of the complaint preferred by the second respondent / de facto complainant, a case was registered by the first respondent police in Crime No.34 of 2017 for the offences under sections 406 and 420 of IPC r/w. Section 10 of the Emigration Act, 1983.



4. It appears that parties viz., petitioners and the 2nd respondent / de facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well wishers and they have also entered into a compromise. A joint compromise memo dated 02.10.2017 signed by the parties concerned in the presence of their respective counsels is produced before this Court. As per the joint Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners and the second respondent have requested this Court to quash the proceedings in Crime No. 34 of 2017 on the file of the first respondent Police.

5. The parties viz., petitioners and the second respondent have appeared before this Court and expressed in unequivocal terms that the Joint Compromise Memo was signed by them on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent Police.

6. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the proceedings pending in Crime No.34 of 2017 on the file of the first respondent Police is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

7. The petitioners are permitted to apply for return of the Passport, which is stated to have been handed over to the concerned Court by the first respondent Police. When the application is filed by the petitioners for return of the Passport, the first respondent is directed to co-operate for return of Passport to the petitioners.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Inspector of Police,
City Crime Branch,



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

+1cc to Mr.B. Sudha Sathy Ananth, Advocate Sr.No.87095

TRP

VB/KK/SAR2/30/11/2017/3P/4C

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