



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.04.2021

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.147 of 2021

1.Shajahan
2.Rejina
3.Rani

: Revision Petitioners/
Appellants/A1 to A3

Vs.

Sahul Hameed

: Respondent/Respondent/
Complainant

Prayer: Criminal Revision Petition has been filed under Section 397 r/w 401 of Criminal Procedure Code, against the judgement, and conviction dated 05.03.2020 made in Criminal Appeal No.14 of 2019 on the file of the Additional District and Sessions Judge, (Fast Track Court), Kumbakonam, confirming the judgment of the Judicial Magistrate No.2, Kumbakonam, dated 20.12.2018 made in C.C No.257 of 2011.

For Revision Petitioners : Mr.K.Guhan

For Respondent : Mr.K.Esakki

J U D G M E N T

This criminal revision is directed against the judgement, dated 05.03.2020 made in Criminal Appeal No.14 of 2019 on the file of the Additional District and Sessions Judge, (Fast Track Court), Kumbakonam, confirming the judgment of the Judicial Magistrate No.2, Kumbakonam, dated 20.12.2018 made in C.C No.257 of 2011.

2.The complainant lodged a complaint against the revision petitioners/A1 to A3 stating that he gave a sum of Rs.50,000/- to them, on 22.12.2007 at the house of his father-in-law Ismath Batch and on the same day itself, A1 gave Visa, dated 16.12.2007 for going to Yeman and later, he came to know that it was a fake Visa and therefore, he demanded the revision petitioners/A1 to A3 to return the sum of Rs.50,000/- as well as the passport. However they did not return the money as well as the passport. Hence, the case.

3.The trial court, by judgment, dated 20.12.2018 made in CC No.257 of 2011 convicted A1 to A3 for the offence under section 420 IPC and sentenced them to undergo Simple Imprisonment for 6 months each and imposed a fine of Rs.5,000/- each, and in default in



payment of fine, sentenced them to undergo Simple Imprisonment for a period of 2 months. The First Appellate Court also confirmed the findings of the trial court. Aggrieved by the concurrent findings of the Courts below, the revision petitioners/A1 to A3 are before this court.

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4. It is submitted by the learned counsel appearing for the revision petitioners/A1 to A3 that now, the dispute between the parties has been settled amicably. The learned counsel appearing for the respondent has not disputed the above fact.

5. When the matter is taken up for hearing on 16.04.2021, both the parties are present along with their respective counsel and a Joint Memo of Compromise, dated 20.04.2021 filed stating that the dispute between the parties has been settled amicably.

6. The Joint Compromise Memo, dated 20.03.2021 reads as follows:-

"(2) It is humbly submitted that the above said case has been instituted by the respondent. Now the petitioners and the respondent have entered compromise between them in this regard, the respondent has no objection to allow the above criminal revision. Hence, this Hon'ble Court may record the compromise memo and allow the criminal revision in favour of the petitioners.

(3) It is humbly submitted that the compromise were entered between the relative of the petitioners and the respondent on 13.02.2021 and the same was reduced in writing in the Form Compromise Agreement. As per the compromise agreement, the respondent has received a full settlement for a sum of Rs.1,50,000/- and also received Passport [Passport No.E.2732547]. The respondent further stated he has no objection to allow the criminal revision case in favour of the petitioners."

7. Since the matter has been amicably settled between the parties and a Joint Compromise Memo has also been filed to that effect, no fruitful purpose will be achieved to proceed further in this matter.

8. In the light of compromise entered into between the petitioners and the respondent, Criminal Revision is **allowed** and the judgment of the Judicial Magistrate No.2, Kumbakonam, passed in CC No.257 of 2011, dated 20.12.2018, confirmed by the Additional District and Sessions

