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CRL RC No. 1634 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 14-08-2026**

CORAM

**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**CRL RC No. 1634 of 2026 and**

**Crl.M.P.No.1442 of 2026**

K.Giridharan

..Petitioner

Vs

Sundara Bharathi

..Respondent

Prayer: Criminal Revision filed under Section 438 r/w 422 of BNSS to set-aside the impugned judgment passed by the XXI Additional City Civil Court Allikulam in Crl.A.No.1300 of 2025 dated 17.02.2026 and confirming the order STC.No.2169 of 2023 dated 17.10.2025 passed by the XXVII Metropolitan Magistrate, Saidapet, Chennai impugned order in accordance with law to secure the ends of justice and thus render justice.

For Petitioner:

A.Arasu Ganeshan

For Respondent:

K.Balasubramaniam

### **ORDER**

Challenging the Judgment, dated 17.02.2026 passed in Crl.A.No.1300 of 2025 by the XXI Additional City Civil Court, Allikulam, the present Criminal Revision is filed by the petitioner/Accused.

2. The respondent/complainant filed a private complaint against the present revision petitioner in S.T.C.No.2169/2023 before the XXVII Metropolitan Magistrate Court, Saidapet, Chennai for an offence punishable under Section 138 of the Negotiable Instruments Act.



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3. After analysing the evidence on record, the learned XXVII Metropolitan Magistrate, Saidapet, Chennai found the accused guilty of the offence punishable under Section 138 of the Negotiable Instruments Act and thus convicted and sentenced him to undergo simple imprisonment for a period of one year and also to pay a sum of Rs.36,00,000/- towards compensation within a period of two months to the complainant and in default to undergo simple imprisonment for three months.

4. Aggrieved over the same, the revision petitioner/accused filed an appeal in Crl.A.No.1300 of 2025 before the XXI Additional City Civil Court, Allikulam. The XXI Additional City Civil Court, Allikulam vide Judgment dated 17.02.2026, dismissed the appeal, confirming the conviction and sentence passed by the trial court, aggrieved over which, the present revision is filed.

5. This Court, on 11.08.2026, directed the petitioner to deposit the entire compensation amount of of Rs.36,00,000/- to the respondent / complainant as ordered by the trial court and to produce the deposit receipt on the next date of hearing, so as to consider the petition for suspension of sentence.

6. Today, when the matter came up for hearing, Mr.Arasu Ganeshan, learned counsel for the petitioner would submit that the entire compensation of Rs.36,00,000/- has been deposited to the credit of the respondent by the



petitioner.

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7. The respondent / complainant appeared in person and accepted the statement made by the learned counsel for the petitioner.

8. A Joint Compromise Memo dated 13.08.2026 has also been filed to that effect and the same is duly signed by the respondent/complainant and the counsel on either side. A copy of the same is scanned below for better understanding:



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## IN THE HIGH COURT OF JUDICATURE AT MADRAS

Crl.R.C.No.1634 of 2026

Mr.K.Giridharan,  
S/o.Mr.K.V.Krishnamoorthy,  
Flat GH, Ground Floor, No.167,  
J.B.Road, Ramaniyam Sampurna Apartments,  
Jayaram Nagar, Kottivakkam,  
Chennai - 600 041.

... Petitioner

Vs

Mr.S.Sundara Bharathi,  
S/o.Mr.B.S.Sundaram,  
Flat No.F2, First Floor, Bhavathi,  
Plot No.67, 9th Cross Street,  
Palkalai Nagar, Palavakkam,  
Chennai - 600 041.

...Respondent

**JOINT COMPROMISE MEMO FILED BY THE PETITIONER AND  
RESPONDENT**

The Petitioner and the Respondent above named respectfully submit as follows:

1. The Petitioner was prosecuted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, in S.T.C.No.2169 of 2023 on the file of the Learned XXVII Metropolitan Magistrate, Saidapet, Chennai, and was convicted by judgment dated 17.10.2023 and sentenced to undergo simple imprisonment for one year and to pay compensation of Rs.36,00,000/- under Section 357(3) Cr.P.C., with default sentence of three months. The conviction was subsequently confirmed in Criminal Appeal No.1300 of 2023 by the Learned XXI Additional City Civil Court, Adilnagar, by order dated 17.02.2024. The Petitioner has thereafter preferred Crl.R.C.No.1634 of 2026 before this Hon'ble Court. The aforesaid particulars are borne out by the compounding petition.
2. It is submitted that, during the pendency of the above Crl.R.C.No.1634/2026, the petitioner and the respondent, upon advice from family members, have amicably resolved all their disputes and that the petitioner have agreed to pay a sum of



3. It is submitted that, Pursuant to the said arrangement between the petitioner and the respondent, the Petitioner has paid a sum of Rs.34,00,000/- (Rupees Thirty-Four Lakhs Only) to the Respondent by way of Real Estate C.A. No. 26/22-54/00676 towards full and final settlement of the claim arising out of the subject 138 NI Act case in S.T.C.No.2169 of 2023 on the file of the Learned XXVII Metropolitan Magistrate, Saidapet, Chennai.

4. It is submitted that the Respondent hereby acknowledges and confirms receipt of the aforesaid sum of Rs.34,00,000/- (Rupees Thirty-Four Lakhs Only) in full and final settlement and states that he has no further monetary claim whatsoever against the Petitioner or his family members in respect of the subject 138 NI Act case in S.T.C.No.2169 of 2023 on the file of the Learned XXVII Metropolitan Magistrate, Saidapet, Chennai, the complaint under Section 138 of the Negotiable Instruments Act, or the transaction forming the subject matter of the above proceedings.

5. The Respondent further agrees and consents to the compounding of the offence under Section 138 of the Negotiable Instruments Act, 1881, in terms of Section 147 of the said Act, and he has no objection to this Hon'ble High Court in allowing the compounding petition and bringing the criminal proceedings to an end.

6. The Respondent further undertakes that, in view of the settlement arrived at between the parties, he shall also withdraw/ take appropriate steps for withdrawal of O.S.No.571 of 2024, pending on the file of the Learned Additional District & Sessions Judge, Chengalpattu, which relates to the same underlying claim/transaction.

*[Signature]*



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7. The parties state that the settlement has been entered into voluntarily, out of their own free will and consent, without any coercion, undue influence, threat or misrepresentation, and that the terms of settlement are acceptable to both parties.

8. The parties therefore jointly submit that, in view of the full and final settlement and the consent of the Respondent/Complainant, the offence under Section 138 of the Negotiable Instruments Act may kindly be permitted to be compounded under Section 147 of the Negotiable Instruments Act, 1881.

Therefore it is prayed that this Hon'ble Court may be pleased to accept the Joint Compromise Memo and permit the Petitioner and Respondent to compound the offence under Section 147 of the Negotiable Instruments Act, 1881 in S.T.C.No.2169 of 2023, dated 17.10.2025, on the file of the XXVII Metropolitan Magistrate, Saidapet, Chennai and acquit the Petitioner / Accused of the charge under Section 138 of the Negotiable Instruments Act, 1881, and pass such other and further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Dated at Chennai on this the 13<sup>th</sup> day of August, 2026.

*Petitioner in Custody*

PETITIONER

COUNSEL FOR PETITIONER

RESPONDENT

COUNSEL FOR RESPONDENT

9. In the light of the above, this Court passes the following order:

i) The Joint Compromise Memo, dated 13.08.2026, is hereby recorded;



ii) the Criminal Revision Case is Allowed in terms of the Joint  
Compromise Memo, dated 13.08.2026;

iii) the Judgment dated 17.02.2026 in Crl.A.No.1300 of 2025 passed by  
the XXI Additional City Civil Court, Allikulam and the Judgment dated  
17.10.2025 in STC.No.2169 of 2023 passed by the XXVII Metropolitan  
Magistrate, Saidapet, Chennai, are set aside.

(iv) The petitioner/accused is acquitted of the offence punishable under  
Section 138 of the Negotiable Instruments Act.

(v) The Superintendent of Police, Central Prison Prison, Puzhal is  
directed to release the petitioner forthwith, if he has not involved in any other  
case.

**14-08-2026**

vum

**Note:Issue order copy 14.08.2026**

Index: Yes / No

Speaking Order / Non speaking order

Neutral Citation : Yes / No



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**N.SENTHILKUMAR J.**

vum

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To:

1. The XXI Additional City Civil Court Allikulam.
2. The XXVII Metropolitan Magistrate, Saidapet, Chennai.
3. The Superintendent of Police,  
Central Prison, Puzhal, Chennai.

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