



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15087 of 2026

P.Ayyasamy
S/o.Planisamy,
2/72, Ammasai gounder street,
Vanjikka thottam,
Vellakinar,
Coimbatore - 641 029

..Petitioner(s)

Vs

K.Kalimuthu
S/o.Karuppan,
D.No.5/184-1, Sumangali Nagar,
thopampatti,
coimbatore North,
coimbatore - 641 017

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to accept the petitioners affidavit and pleaded to compound the sentence passed in Crl.A.No.197 of 2014 by this Honble Court dated 21.12.2024 reversing the judgement of acquittal passed in the learned Judicial Magistrate No.I Coimbatore in C.C.No.48 of 2012 dated 21.01.2014 and acquit the petitioner/accused and pass all such further or other orders that the Honble Court may deem fit and proper in the circumstances of the case and thus render justice

For Petitioner(s): Mr.N.Kamalanathan
for M/s. A.PARTHASARATHY and associates

For Respondent(s): Mr.Sabarivasan

ORDER

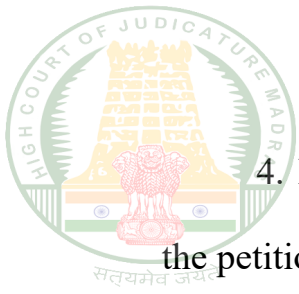
This Criminal Original Petition has been filed to accept the petitioner's affidavit to compound the sentence passed in Crl.A.No.197 of 2014 by this



Court vide the judgment dated 21.12.2024 reversing the judgment of acquittal passed by the learned Judicial Magistrate No.I, Coimbatore in C.C.No.48 of 2012 dated 21.01.2014 and acquit the petitioner / accused.

2. The petitioner who is the accused in C.C.No.48 of 2014 for the offence under Section 138 of the Negotiable Instruments Act, was acquitted by the Trial Court on 21.01.2014. Aggrieved against the same, the respondent filed an appeal before this Court in Crl.A.No.197 of 2014 and this Court by a judgment dated 21.12.2024 set aside the judgment made by the Trial Court. Further, this Court convicted the petitioner herein with one year imprisonment and to pay the Cheque amount of Rs.2 Lakhs as compensation. During the interregnum period there was some negotiations took place and both the parties have amicably settled the issue by executing a joint compromise memo dated 26.08.2025. Now, the petitioner is before this Court seeking to compound the offence.

3. On perusal of records, it is seen that as per the joint compromise memo, the petitioner had repaid the amount of Rs.4 Lakhs towards the settlement. Though this Court in Crl.A.No.197 of 2014 dated 21.12.2024 ordered to repay the amount of Rs.2 Lakhs as compensation to the respondent, upon negotiation, the petitioner is now willing to pay a sum of Rs.4 Lakhs.



4. In view of the above, the issue was settled between the parties. Both the petitioner and the respondent appeared through video conference. They were identified by the learned counsel for the petitioner.

5. In the result, this Criminal Original Petition stands allowed. The offence under Section 138 of the NI Act against the petitioner is hereby compounded as the petitioner had already paid the amount of Rs.4 lakhs towards compensation to the respondent as agreed in the joint compromise memo, entered into between the parties. The joint compromise memo dated 26.08.2025 shall form part and parcel of this order.

16-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JER

To
The Judicial Magistrate No.I Coimbatore.



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M.NIRMAL KUMAR, J.

JER

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