



Crl.R.C(MD)No.1440 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2026**

CORAM

THE HONOURABLE **MR.JUSTICE N.GUNASEKARAN**

Crl.RC(MD).No.1440 of 2026

and

Crl.MP(MD)No.17743 of 2026

V.Kannappan

... Petitioner

vs.

P.Saravanan

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the entire records pertaining to the judgment dated 16.07.2024 made in Crl.Appeal No.5 of 2023 on the file of the learned District Judge, Karur, by confirming the judgment dated 08.12.2022 passed in C.C.No.614 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur and set aside the same.

For Petitioner : Mr.S.Gokularaj

For Respondent : Mr.D.Ramesh Kumar

ORDER

Heard Mr.S.Gokularaj, learned Counsel for the Revision Petitioner and Mr.D.Ramesh Kumar, learned Counsel for the Respondent.



Crl.R.C(MD)No.1440 of 2026

2. This Criminal Revision Petition has been filed to set aside the judgment dated 16.07.2024 made in Crl.Appeal No.5 of 2023 on the file of the learned District Judge, Karur, by confirming the judgment dated 08.12.2022 passed in C.C.No.614 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur.

3. The Respondent/complainant herein filed a complaint as against petitioner alleging that petitioner herein committed offence under Section 138 of the Negotiable Instruments Act (herein after referred to as “the NI Act”) and the same was taken on file by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in C.C.No.614 of 2017, where the petitioner herein is the sole accused. The Trial Court vide judgment dated 08.12.2022, has held that the petitioner was guilty of offence under Section 138 of NI Act, convicted and sentenced him to undergo a simple imprisonment for six months and also pay the cheque amount of Rs.1,00,000/- as compensation to Respondent/complainant, within one month from the date of judgment and in default of payment of compensation, to undergo further one month simple imprisonment.



Crl.R.C(MD)No.1440 of 2026

4. Aggrieved by the same, the petitioner/accused filed a Criminal Appeal in Crl.Appeal No.5 of 2023 on the file of the learned District Judge, Karur. The learned Appellate Court, vide order dated 16.07.2024, dismissed the appeal confirming the conviction and sentence passed by the Trial Court. Aggrieved by the same, the petitioner has filed the present Criminal Revision Petition.

5. Learned Counsel for the Petitioner submits that the petitioner has been confined in the Central Prison, Trichy, since 10.08.2026 and that he has entered into a joint compromise with the respondent. Hence, he prays that the Revision Petitioner may be released from jail without imposing any condition.

6. Today, when this Criminal Revision Case was taken up for hearing, it is informed by both side learned counsel that during pendency of this Criminal Revision case, they resolved/decided to settle their disputes. The respondent/complainant, was present before this Court along with Identity Card (Aadhar Card) and submits that the matter in dispute has been amicably resolved. Both of them filed a copy of Joint Memo of Compromise dated 21.08.2026 stating that dispute under Section 138 of NI Act is amicably settled out of Court



Crl.R.C(MD)No.1440 of 2026

and prayed to compound the offence. Further, the respondent also agreed to withdraw the case as against petitioner.

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7. Section 147 of the Negotiable Instruments Act, 1881 reads as follows:-

“147. Offences to be compoundable.—

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence punishable under this Act shall be compoundable].”

In view of the aforesaid provision, offence under Section 138 of the Negotiable Instruments Act becomes compoundable at any stage of the case.

8. In view of the above and in the interest of justice, the alleged offence committed by the petitioner/accused under Section 138 of NI Act, stands compounded under Section 147 of the Act. The joint compromise memo dated 21.08.2026, was read out to both counsel and same has been agreed by either side as found correct, this Court is inclined to pass the following orders :-

(i) The judgment of conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in C.C.No.614 of 2017 dated 08.12.2022 and the judgment



Crl.R.C(MD)No.1440 of 2026

passed by the learned District Judge, Karur, in Crl.Appeal No.5 of 2023, dated 6.07.2024, are **set aside** and the accused is acquitted of the charge under Section 138 of the NI Act.

ii) The Joint Compromise memo dated 21.08.2026 shall form part and parcel of this Order.

iii) The Petitioner is directed to be released from jail forthwith without imposing any condition.

8. With the above directions, this Criminal Revision Petition is **disposed of**. Consequently, the connected miscellaneous petition is closed.

21.08.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

Note: i) Issue Order Copy on 21.08.2026

ii) Registry is directed to mark a copy of this order to the Central Prison, Trichy, forthwith.

To:

1.The District Judge, Karur.

2.The Judicial Magistrate, Fast Track Court at Magisterial Level,
Karur.

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

Copy To:

The Central Prison, Trichy.

5/6



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CrI.R.C(MD)No.1440 of 2026

N.GUNASEKARAN, J.

Nsr

Order made in
CrI.R.C.(MD)No.1440 of 2026

21.08.2026