

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.7.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Petition Nos.555 and 556 of 2009
and MP.Nos. 3 to 3 of 2009

S.Rajesh

.. Petitioner in both cases

Versus

1. State by
Public Prosecutor
Coimbatore

2. Suresh Chand Chordiya
Proprietor,
M/s. Siddharth Computer Spares
D.No.445, 7th Street Extension
Gandhipuram, Coimbatore -12 ..Respondents in both
cases

Criminal Revision cases filed under Section 397 and 401 of
Cr.P.C. against the judgment dated 26.3.2009 made in
CA.No.365 of 2008 and 364 of 2008 on the file of the learned
Additional District and Sessions Court/Fast Track Court No.2,
Coimbatore confirming the judgment of Conviction dated
07.10.2008 made in STC.No.1416 of 2007 and 1415 of 2007 on
the file of the Judicial Magistrate No.1, Coimbatore and pray to

set aside the same.

For Petitioner in both cases: Mr.Saravana Sowmiyan

For Respondent in both cases : Mr.V.Arul
Government Advocate (Crl.side)

COMMON ORDER

On 15.7.2015, when the matters were listed, this Court, after hearing the learned counsel on either side, dismissed the Revision cases on merits.

2. Subsequently, on the next day i.e. on 16.7.2015, even before the said order was signed, the learned counsel on either side brought to the knowledge of this Court that the matter has already been settled between the parties.

3. Therefore, the matter is listed today under the caption, 'for being mentioned' at the instigation of the learned Counsel on either side. Both the parties represented before this Court that even before the order of dismissal passed by this Court, the matters have been settled between the parties by

paying the entire amount by the petitioner to the respondent and the complaints are no more in existence. But the said fact was not informed either to the petitioner's counsel or to the respondent's counsel so as to inform the same to this Court.

4. Further, petition under Section 147 of the Negotiable Instruments Act has been filed for compounding the offence, signed by both the parties and both Counsel in which, in page No.2, it is stated as follows:

"The petitioner/accused and the respondent/complainant have amicably settled the dispute and compromised the issue. The petitioner/accused has paid a sum of Rs.17,01.985/- (Rupees Seventeen Lakhs One Thousand Nine Hundred and Eighty Five Only) towards the amount covered in the cheques subject in the above case and interest. The respondent/complainant received the said sum on various dates and issued receipts and also confirmed the same in confirmation of accounts

dated 01.04.2012. The
 respondent/complainant has also issued a letter
 dated 15.02.2012 acknowledging the above
 payment as full and final settlement towards
 the amount payable by the petitioner/accused."

5. In view of the above, this Court is of the view that
 no further order is required in these matters and the sentences
 imposed on the petitioner by the learned Judicial Magistrate
 No.I, Coimbatore in STC.Nos.1415 and 1416 of 2007 are
 hereby withdrawn. Consequently, connected miscellaneous
 petition is closed.

21.7.2015

ga/tsi

Index : Yes / No

Internet : Yes / No

To

1. The Additional District and Sessions Judge,
 (Fast Track Court No.2), Coimbatore

2. The Judicial Magistrate No.I, Coimbatore

B. RAJENDRAN, J

ga/tsi

CrI RC Nos.555 and 556 of 2009

21.7.2015