



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 12.02.2015  
CORAM

**THE HONOURABLE MR.JUSTICE C.T.SELVAM**

CrI.O.P. (MD)No.2505 of 2015

T.Chithirai Raja

... Petitioner

Vs.

A.S.A.Chakravarthi

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records proceedings in connection with C.A.No.20 of 2014 dated 21.07.2014 on the file of I Additional Sessions Judge, Thoothukudi and set aside the same.

For Petitioner : Mr.V.Sasikumar  
For Respondent : Mr.S.Sukumar

### **O R D E R**

This Criminal Original Petition is filed to set aside the judgment dated 21.07.2014 in C.A.No.20 of 2014 on the file of I Additional Sessions Judge, Thoothukudi.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. Taking into consideration the affidavit of the respondent/complainant dated 12.02.2015 and the compromise memo dated 11.02.2015 signed by both the petitioner and the respondent and also the respective counsel, both of which informs that the respondent has settled a sum of Rs.4 lakhs in full quit, the offence under Section 138 of the Negotiable Instruments Act tried in C.C.No.242 of 2013, Fast Track Court (Magisterial Level), Tuticorin shall stand compounded and such case shall stand dismissed. Consequently, the judgment of the II Additional Sessions Judge, Tuticorin in C.A.No.20 of 2014 dated 21.07.2014 shall be set aside. Copy of this order shall be forwarded to the trial Court and also appellate Court. The appellate Court is informed that it is not open in law to dismiss a Criminal Appeal for default.

4. It is submitted by the learned counsel on either side that the petitioner is in custody from 08.02.2015 in Central Prison, Palayamkottai.

5. The Superintendent of Prison, Central Prison, Palayamkottai is directed to forthwith release the petitioner, unless his custody is required in connection with any other case.



6. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(CO)

\\True copy\\

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Sub Assistant Registrar

To

1 THE II ADDITIONAL SESSIONS JUDGE, THOOTHUKUDI

2. THE IST ADDITIONAL SESSIONS JUDGE, THOOTHUKUDI

3. THE PRINCIPAL SESSIONS JUDGE, THOOTHUKUDI

4. THE FAST TRACK COURT (MAGISTRATE LEVEL) THOOTHUKUDI

5. THE SUPERINTENDENT OF PRISON

CENTRAL PRISON PALAYAMKOTTAI, TIRUNELVELI DISTRICT

+2 CC TO M/S.A. MOHAN, ADVOCATE SR.NO.6527

Cr1.O.P. (MD) No.2505 of 2015  
12.02.2015

AKV

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