

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1101 of 2016

and

Crl.M.P.Nos.9558, 9559 and 9560 of 2016

S.Thirukkumaran

Proprietor,

T.Jamuna Ambika Food Products,

5/270, Main Road, Thirumalpatti,

Kannivadi, Dindigul - 624 705.

... Petitioner

Vs.

A.Alamelu

Proprietorix,

Devatha Sales Corporation,

duly represented by her Power Agent,

P.Muthupalaniappan

... Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment of learned V Additional District and Sessions Judge, Coimbatore, passed in C.A.No.168 of 2015 on 07.03.2016 confirming the judgment of learned Judicial Magistrate, Fast Track Court I, Coimbatore, passed in C.C.No.555 of 2013 on 09.07.2015.

For Petitioner : Mr.P.Saravana Sowmiyan

For Respondent : Mr.C.S.Saravanan

ORDER

This revision is preferred against two concurrent judgments of Courts below convicting the petitioner for offence under Section 138 of the

Negotiable Instruments Act and sentencing him to 1 year S.I. as also directing him to pay a sum of Rs.4,35,000/- as compensation to the complainant under Section 357(3) Cr.P.C.

2. Learned counsel for the petitioner submitted that the matter stands compromised upon receipt of Rs.2,00,000/- by respondent/complainant.

3. Learned counsel for the respondent affirms the submissions of learned counsel for petitioner viz., that the dispute stands settled between *de facto* complainant and petitioner. Learned counsel further submits that a Demand Draft bearing No.532576 dated 29.11.2016 in a sum of Rs.2,00,000/- drawn in favour of respondent has been received.

In view of the petition filed to compound the offence signed by the parties as also the respective counsels, this Court is inclined to allow this petition. Accordingly, the offence under section 138 of the Negotiable Instrument Act shall stand compounded. Petitioner shall stand acquitted in the case. Connected miscellaneous petitions are closed. Petition for compounding the offence dated 30.11.2016 shall form part of the records.

30.11.2016

Index:yes/no
Internet:yes/no

gm

To

- 1.The V Additional District and Sessions Judge,
Coimbatore.
- 2.The Judicial Magistrate,
Fast Track Court I,
Coimbatore.

C.T.SELVAM, J

gm

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