

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2016

CORAM

THE HONOURABLE DR.JUSTICE P.DEVADASS

CRL.R.C.No.252 of 2016

and

M.P.No.2413 of 2016

B.S.Prabhakar Raju ... Revision Petitioner

Vs.

E.Lakshmanan ... Respondent

Criminal Revision Case filed under Sections 397(1) and 401 of the Code of Criminal Procedure to call for the records relating to judgment dated 01.07.2015 made in C.A.No.77 of 2014 on the file of the Principal District Sessions Judge, Krishnagiri, confirming the judgment dated 17.10.2014 made in S.T.C.No.360 of 2013 on the file of the Fast Track Judicial Magistrate Court, Hosur and set aside the same.

For Petitioner : Mr.T.Sathiyamoorthy

For Respondent : Mr.R.Jayaprakash

O R D E R

Revision petitioner, who is the appellant in C.A.No.77 of 2014 on the file of the learned Principal District Sessions Judge, Krishnagiri and who has been convicted and sentenced for an offence under section 138 of N.I. Act in S.T.C.No.360 of 2013 by the learned Fast Track Magistrate, Hosur has directed this revision.

2. In the Trial Court, he was convicted under section 138 of the Negotiable Instruments Act and was sentenced to 6 months S.I. and was also directed to a pay compensation of Rs.3,00,000/- under section 357 Cr.P.C.

3. On appeal in C.A.No.77 of 2014 confirming the said judgment of the Trial Court, the learned Principal Sessions Judge, Krishnagiri, dismissed the appeal.

4. Aggrieved, the petitioner had directed this revision under section 397 Cr.P.C. challenging the legality of the conviction and sentence recorded by the Courts below.

5. In this Court, the petitioner/accused and the respondent/ complainant have entered into a compromise to compound the offence and joint memo of compromise signed by both parties has also been filed. Both the parties are present in the Court today, who have been identified by their respective counsels. Some concession seems to have been given by the complainant to the revision petitioner. I am satisfied. In the circumstances, the respondent is permitted to compound the offence under section 147 of the Negotiable Instruments Act.

6. Ordered as under :

(1) Respondent is permitted to compound the offence.

(2) Conviction and sentence recorded by both the Courts below are set aside.

(3) Accordingly, this Criminal Revision is disposed of. Consequently the connected miscellaneous petition is closed.

vrc

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Principal District Sessions Judge,
Krishnagiri.

2. The Judicial Magistrate,
[Fast Track Court], Hosur, Krishnagiri District.

+ 1 cc to Mr.T.Sathiyamoorthy, Advocate Sr 13479

+ 1 cc to Mr.R.Jayaprakash, Advocate Sr 13548

KR/17/3/16

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&

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