

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2016

CORAM

THE HONOURABLE Ms.JUSTICE G.CHOCKALINGAM

CRIMINAL REVISION CASE No.789 of 2016
and
C.M.P.Nos.5857 to 5859 of 2016

Kalaivani ... Petitioner/Accused

Vs.

Thenmozhi ... Respondent/Complainant

Criminal Revision Case filed under Sections 397 and 401 of Code of Criminal Procedure praying to set aside the conviction and sentence dated 18.01.2016 passed in Criminal Appeal No.1 of 2015 on the file of the Principal Sessions Judge, Salem confirming the order dated 10.12.2014 passed in C.C.No.273 of 2013 on the file of the learned Judicial Magistrate No.III, Salem.

For Petitioner : Mr.R.Nalliyappan

For Respondent : Mr.A.Esakkiappan

O R D E R

This Criminal Revision Case is filed against the judgment dated 18.01.2016 passed in Criminal Appeal No.1 of 2015 on the file of the learned Principal Sessions Judge, Salem confirming the order dated 10.12.2014 passed in C.C.No.273 of 2013 on the file of the learned Judicial Magistrate No.III, Salem.

2.The learned counsel appearing for the petitioner would submit that now the matter has been compromised between the petitioner/accused and the respondent/complainant and the respondent/complainant is ready to compound the offence against the petitioner/accused.

3.The learned counsel appearing for the respondent/complainant also admits that the matter has been settled between the parties.

4.The learned counsel appearing for the petitioner and the learned counsel appearing for the respondent have jointly filed a petition dated 01.09.2016 to compound the offence, wherein the the petitioner, the respondent and their respective counsel have signed.

5.This Court has considered the submissions made by both the parties and perused the averments made in the petition to compound the offence filed by them. The relevant portion of the petition to compound the offence is extracted hereunder:

"The respondent herein agreed to receive the cheque amount of Rs.1,60,000/- (Rupees One lakh sixty thousand) from the petitioner to settle the issue.

Out of Rs.1,60,000/- the respondent herein received a sum of Rs.60,000/- from the petitioner on 13.08.2016.

Rest of the settlement amount of Rs.1,00,000/- (Rupees One lakh has to be paid by the petitioner to the respondent within two months i.e., on or before October 2016."

6.In view of the above said fact, the respondent/complainant is permitted to compound the offence against the petitioner/accused.

7.As the offence has been compounded, this Criminal Revision is Case is allowed and the conviction and sentence imposed on the petitioner/accused in C.C.No.273 of 2013 by the learned Judicial Magistrate No.III, Salem, which is set aside and the petitioner/accused is acquitted from the charge. The bail bond executed, if any, shall stand cancelled and the fine amount, if any, paid by the petitioner/accused shall be refunded to them. The petition dated 01.09.2016 to compound the offence is hereby recorded and the same shall form part of the order. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

cla

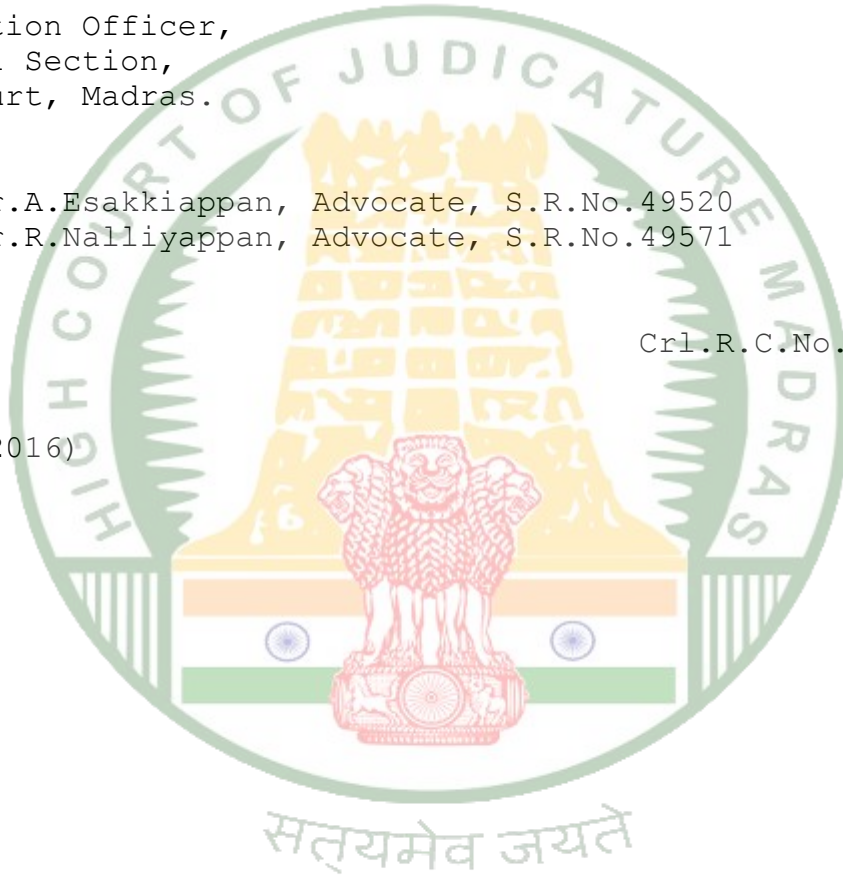
To

- 1.The Principal Sessions Judge,
Salem.
- 2.The Judicial Magistrate No.III,
Salem.
- 3.The Chief Judicial Magistrate,
Salem. (Do- Through)
- 4.The Section Officer,
Criminal Section,
High Court, Madras.

+lcc to Mr.A.Esakkiappan, Advocate, S.R.No.49520
+lcc to Mr.R.Nalliyappan, Advocate, S.R.No.49571

Crl.R.C.No.789 of 2016

AK(CO)
CA(16/09/2016)



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