



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2016

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P (MD) No.18146 of 2016

Kalidoss

... Petitioner

-Vs-

1.Selva Chidambaram ... 1st Respondent/Defacto Complainant

2.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivangangai District. ... 2nd Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Fast Track Judge, Magisterial Level, Karaikudi to furnish the certified copy of the complaint, deposition of witnesses and Judgment, dated 26.07.2016 in S.T.C.No.74 of 2016 on the file of the learned Fast Track Judge, Magisterial Level, Karaikudi within the time stipulated by this Court so as to enable the petitioner to prefer an appeal.

For Petitioner : Mr.M.S.Jeya Karthik

For R - 1 : Mr.J.Vijayaraja

For R - 2 : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

ORDER

This petition has been filed to direct the learned Fast Track Judge, Magisterial Level, Karaikudi to furnish the certified copy of the complaint, deposition of witnesses and Judgment, dated 26.07.2016 in S.T.C.No.74 of 2016 on the file of the learned Fast Track Judge, Magisterial Level, Karaikudi within the time stipulated by this Court so as to enable the petitioner to prefer an appeal.

2.Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) appearing for the first respondent and the learned counsel appearing for the second respondent.



3. The facts of the case are that the first respondent herein has filed a private complaint against the petitioner under Sections 138 and 142 of Negotiable Instruments Act. After trial, the accused was convicted and sentenced to undergo three months Simple Imprisonment in S.T.C.No.74 of 2016. Since the accused was not present on the date of pronouncement of the Judgement, a Non-Bailable Warrant was issued against him.

4. When the matter was called on 27.09.2016 both the petitioner as well as the first respondent are present before this Court and they categorically made a statement that the dispute between them have been settled amicably. They have also filed a memo of compromise, dated 27.09.2016 duly signed by both parties and counter signed by their respective counsel. They would also further submit that they are ready to donate Rs.10,000/- to the Tamil Nadu Harijan Sevak Sangh.

5. In view of the above, this Court directed the parties to pay Rs.10,000/- to the Tamil Nadu Harijan Sevak Sangh, N.M.R.Subbaraman Memorial Residential Primary School Campus, 12, Dr.Thangaraj Road, Vinayaga Nagar, Opposite to Madurai Law College, Madurai -20 and also this Court dispensed with the appearance of the parties.

6. Today when the matter is called, the learned counsel for the petitioner submitted that the above said amount has been paid. In view of the statements made by the parties and the compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

7. In view of the compromise reached between the parties, the conviction and sentence passed in S.T.C.No.74 of 2016 by the learned Fast Track Judge, Magisterial Level, Karaikudi, is set aside and the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

Encl.: The Xerox copy of the Joint Compromise Memo

To

1. The Fast Track Judge,
Magisterial Level, Karaikudi.

2. The Inspector of Police,
<https://hcservices.ecourts.gov.in/hcservices/>
Karaikudi North Police Station,
Karaikudi, Sivangangai District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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30.09.2016

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SH/GSV-PM:28.11.2016:3P/4C