



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2016

CORAM:

WEB COPY

THE HONOURABLE DR. JUSTICE P.DEVADASS

C.R.L.RC(MD) No.485 of 2016
and CrI.M.P.(MD) Nos.5675 to 5677 of 2016

Selvan @ Anbuselvan ... Petitioner / Appellant / Accused
(Single)

-vs-

Chidambara Natesan ... Respondent/Respondent/Complainant

PRAYER: Criminal Revision Petition is filed, under Section 397 r/w 401 Cr.P.C., to call for the entire records pertaining to the judgment passed by the learned III Additional District and Sessions Judge, Tirunelveli District in C.A.No.89 of 2013 dated 27.11.2015 whereby confirming the conviction and sentence imposed by the learned Judicial Magistrate, Valliyoor, Tirunelveli District in C.C.No.229 of 2013 dated 04.12.2013 and to set aside the same and consequently acquit the petitioner.

For Petitioner: Mr.A.Kesavan

For Respondent: Mr.S.Balaji

O R D E R

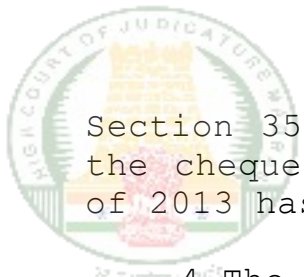
CrI.R.C. (MD) No.485 of 2016:

The revision petitioner who was convicted in a cheque bouncing case in C.C.No.229 of 2013 on the file of the Judicial Magistrate, Valliyoor, Tirunelveli District and which has been confirmed by the learned III Additional Sessions Judge, Tirunelveli in CrI.A.No.89 of 2013 challenges the legality of the said conviction and sentence.

CrI.M.P. (MD) No.5677 of 2016:

This petition by the revision petitioner and also signed by the respondent/complainant under Section 147 of the N.I. Act is to compound the offence.

3.As stated at the outset, on 04.12.2013, the revision petitioner has been convicted under Section 138 of N.I. Act and sentenced to simple imprisonment for 3 months and also under



Section 357 Cr.P.C. directed to pay Rs.3,00,000/-, namely, double the cheque amount, with default sentence. His Appeal in C.A.No.89 of 2013 has been dismissed by the appellate Judge.

4.The learned counsel for the petitioner/accused submitted that the entire Rs.3,00,000/-, namely, double the cheque amount has been paid to the respondent/complainant.

5.The learned counsel for the respondent/complainant also submits the same. They have entered into a compromise and the complainant is willing to compound the offence.

6.I am satisfied with the reasons stated. They are permitted to compound the offence.

7.In the circumstances, in view of permission having been accorded to compound the offence the conviction recorded and sentence awarded by the learned Judicial Magistrate, Valliyoor in C.C.No.229 of 2013 and which has been confirmed by the learned III Additional Sessions Judge, Tirunelveli in C.A.No.89 of 2013 are set aside. The revision petitioner/accused is acquitted. Consequently, connected CrI.MP(MD)Nos.5675 & 5676 of 2016 are closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

sj

To:

1.The III Additional District Sessions Judge,
Tirunelveli.

2.The Judicial Magistrate,
Valliyoor, Tirunelveli.

+1CC to Mr.A.Kesavan, advocate Sr.No.36791

GJM/SKS/RR/3.8.16-2p-4c

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