

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.130 of 2017

and

Crl.M.P.No.1431 of 2017

Kamatchi

... Petitioner

Vs.

Ganapathiappan

... Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment of learned I Additional District and Sessions Judge, Coimbatore, dt.8.11.16 passed in C.A.No.195 of 2016 confirming the judgment of learned Judicial Magistrate, Fast Track Court at Magistrate Level II, Coimbatore, passed in S.T.C.No.170 of 2012 on 04.08.2015.

For Petitioner : Mr.S.Gunalan

For Respondent : Mr.S.Arjun

ORDER

This revision is preferred against two concurrent judgments of Courts below convicting petitioner for offence under Section 138 of the Negotiable Instruments Act and sentencing him to 1 year S.I. and fine of Rs.5,000/- i/d 2 months S.I.

2. Learned counsel for petitioners submitted that the matter stands compromised upon receipt of entire cheque amount by respondent/ complainant.

3. Learned counsel for respondent affirms the submissions of learned counsel for petitioners viz., that the dispute stands settled between de facto complainant and petitioners.

In view of the Compromise Memo filed to compound the offence signed by parties as also the respective counsels, this Court is inclined to allow this petition. Accordingly, the Criminal Revision Case shall stand allowed. The offence under section 138 of the Negotiable Instrument Act tried in

S.T.C.No.170 of 2012 on the file of learned Judicial Magistrate, Fast Track Court II, Coimbatore, shall stand compounded. Petitioner shall stand acquitted in the case. Compromise Memo dated 06.02.2017 filed to compound the offence shall form part of records. Connected miscellaneous petitions is closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The I Additional District and Sessions Judge, Coimbatore.

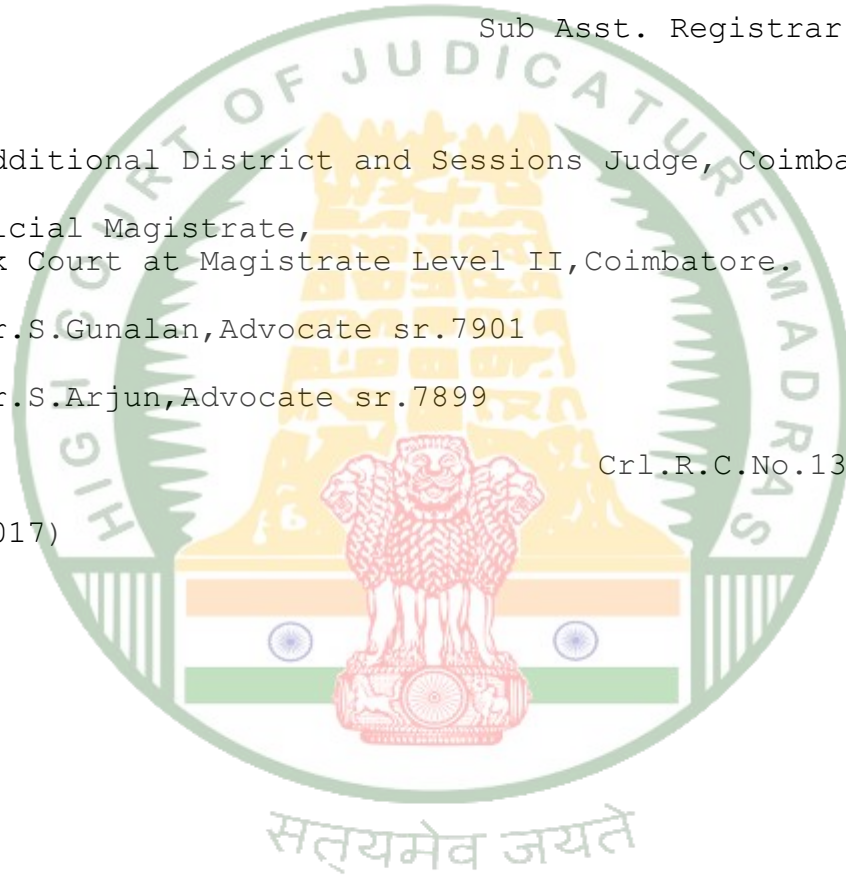
2.The Judicial Magistrate,
Fast Track Court at Magistrate Level II, Coimbatore.

+1cc to Mr.S.Gunalan, Advocate sr.7901

+1cc to Mr.S.Arjun, Advocate sr.7899

CrI.R.C.No.130 of 2017

ss(15/3/2017)



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