Bail Slip

The Petitioner/Accuses viz., Jayabal, was released on bail as per the order of this Court dated 17.08.2015, in Crl.Rc.No.1325 of 2014 and MP.No.1 and 2 of 2014.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1325 of 2014
and
Crl.M.P.Nos.1 and 2 of 2014

Jayabal … Petitioner

Vs.

M/s.Rahmed Steels,
Rep. by its Proprietrix Mrs.Jannathul Arifa,
Rep. by her Power Agent Syed Ismail,
No.69, Sembudass Street,
Chennai-600 001. … Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment dated 17.09.2014 passed in Crl.A.No.71 of 2013 on the file of the learned II Additional City Civil Judge, Chennai confirming the conviction and sentence passed by the learned VII Metropolitan Magistrate, George Town, Chennai in C.C.No.7363 of 2006 dated 01.03.2013.

For Petitioner : Mr.P.Kumaresan for
M/s.J.Bharathi Raja
For Respondent : Mr.V.T.Narendiran

O R D E R

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 6 months S.I. and directing to pay Rs.10,00,000/- as compensation under Section 357(3) Cr.P.C. within a period of one month.

2. Learned counsel for petitioner submitted that the matter stands compromised between parties and the respondent/complainant agreed to receive a sum of Rs.3,00,000/- (Rupees Three Lakhs) in full and final settlement. It is also

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submitted that already a sum of Rs.75,000/-(Rupees Seventy Five Thousand) has been deposited to credit of C.C.No.7363 of 2006 on the file of learned VII Metropolitan Magistrate, George Town, Chennai. Today, learned counsel for petitioner also handed over a DD bearing No.501190 dated 06.02.2017 in a sum of Rs.50,000/- to complainant and agreed to pay the remaining amount of Rs.1,75,000/- within three months starting from March 2017 and the complainant has also agreed for the same.

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

4. In view of the Compromise Memo filed to compound the offence signed by parties as also their respective counsel, 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 shall stand compounded. Petitioner shall stand acquitted in the case. Compromise Memo dated 07.02.2017 filed to compound the offence shall form part of records. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

rm Sub Assistant Registrar

To

1. The II Additional Judge,
   City Civil Court,
   Chennai.

2. The VII Metropolitan Magistrate,
   George Town,
   Chennai.

+1cc to Mr.Bharathi Raja, Advocate, S.R.No.11487
+1cc to Mr.Narendiran, Advocate, S.R.No.11298

RSK(CO)
RS(13/03/2017)

Crl.R.C.No.1325 of 2014
and
Crl.M.P.Nos.1 and 2 of 2014

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