

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.32 of 2017
and
Crl.M.P.Nos.359 and 361 of 2017

1.Mangal leathers Pvt. Ltd
rep. by its Director
Neela Subramaniam

2.Neela Subramaniam ... Petitioners

Vs.

M/s. Ganesh Enterprises
represented by its proprietor
P.L.Valliappan ... Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment of learned XVIII Additional Sessions Judge, Chennai, passed in C.A.No.16 of 2016 on 23.12.2016 confirming the judgment of learned Metropolitan Magistrate, FTC II, Egmore, Chennai passed in C.C.No.1228 of 2012 on 28.12.2015.

For Petitioners: Mr.N.Anand Venkatesh
For Respondent : Mr.C.P.Sivamohan

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 1 year imprisonment and directing payment of compensation of Rs.94,712/- i/d 3 months S.I.

2. Learned counsel for petitioner submitted that the matter stands compromised between the parties. Learned counsel further submitted that petitioner has handed over a demand draft bearing No.536881 dated 03.02.2017 drawn on Union Bank of India, Chennai branch, in a sum of Rs.80,000/- to respondent/complainant.

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 tried in C.C.No.1228 of 2012 on the file of learned Metropolitan Magistrate, FTC II, Egmore, Chennai, 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 are closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The XVIII Additional Sessions Judge, Chennai

2.The Metropolitan Magistrate, FTC II, Egmore.

+1 cc to Mr.N.Anand Venkatesh,advocate,sr.7208

+1 cc to Mr.C.P.Sivamohan,advocate,sr.7557.

msm(co)

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