

Bail Slip

The Appellant/Accused Viz., Arunkumar S/o Anbu is directed to be released on bail in and by the order of this Court dated 17/03/2017 made in Crl R.C.No.386/2017 and Crl M.P.No.3562 of 2017.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Crl.R.C.No.386 of 2017

and

Crl.M.P.No.3562 of 2017

Arunkumar

....Petitioner

Vs

Maheswaran

....Respondent

Criminal Revision Case filed under Section 397(1) and 401 Cr.P.C. to call for the records in C.A.No.166 of 2014 dated 08.12.2015 on the file of the learned Principal Sessions Judge, Salem, confirming the judgment dated 20.11.2014 in C.C.No.262 of 2013 passed by the learned Judicial Magistrate No.III, Salem convicting the petitioner under Section 138 of the Negotiable Instrument Act and sentenced to 6 months simple imprisonment and the same is set aside.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.A.Sureshbabu

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O R D E R

This revision has been filed against the conviction. The accused, in C.C.No.262 of 2013 on the file of the learned Judicial Magistrate No.III, Salem, is petitioner herein. He stood charged for the offence under Section 138 of Negotiable Instrument Act. After trial, the trial Court convicted the

petitioner/accused and sentencing him to undergo six months simple imprisonment. Challenging the above said conviction and sentence, the petitioner has filed a Criminal Appeal in C.A.No.166 of 2014 on the file of the learned Principal District Judge, Salem. The lower appellate Court, by its judgment dated 08.12.2015, dismissed the appeal, confirming the judgment passed by the Trial Court. Challenging the above said conviction and sentence, the petitioner preferred this present criminal revision case.

2. Today, when the matter was taken up for hearing, the respondent/complainant filed a petition under Section 320 Cr.P.C. to compound the offence on the ground that the parties have settled the dispute between themselves, and he has also received a sum of Rs.2,00,000/- (Rupees two lakhs only) from the petitioner/accused. Today, the respondent/complainant along with his counsel present. He has submitted that already he received the above said amount and prays for compounding the offence.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent/complainant and perused the materials available on record.

4. Taking into consideration the fact that the parties have settled the dispute and the respondent/complainant is not willing to proceed with the case, and he wanted to compound the case on the ground that the petitioner/accused paid a sum of Rs.2,00,000/- to the complainant, the parties are permitted to compound the offence.

5. In the above circumstances, the criminal revision case is allowed, the conviction and sentence imposed on the petitioner by both the Courts below are set aside. The affidavit filed by the parties shall form part of the record. It is reported that the accused is in jail. Hence, the petitioner/accused is directed to be released forthwith, if his presence is not required in connection with any other case. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar(CS-II)

Dated:17/03/2017

*Corrected order to be issued

Sd/-

Assistant Registrar(CS-IX)

Dated:20/03/2017

/true copy/

Sub Asst. Registrar

To

1.The Learned Principal Sessions Judge, -
Salem.

2.The Learned Judicial Magistrate,
Salem.

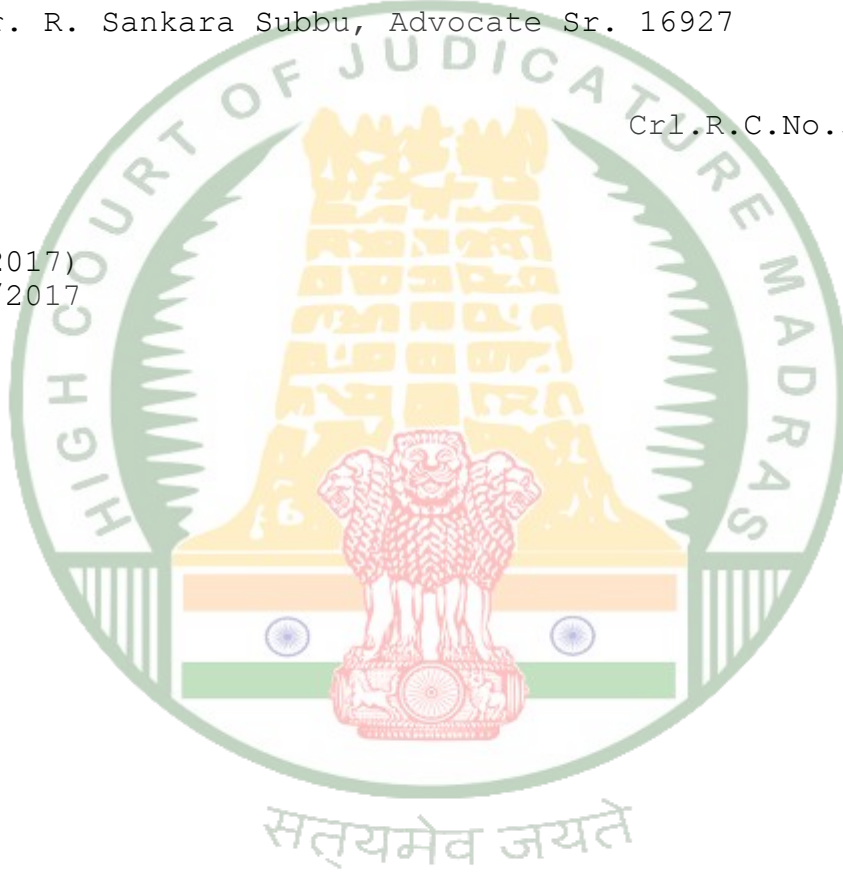
***3.The Superintendent,
Central Prison, Coimbatore.**

To be substituted to
the order
already despatched.

+lcc to Mr. R. Sankara Subbu, Advocate Sr. 16927

Crl.R.C.No.386 of 2017

Vr(17/03/2017)
srg 20/03/2017



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