

Bail Slip

The Petitioner/Sole accused namely M.Pushpasekaran S/o.Mariappa Gounder was directed to be released on bail as per the order of this court dated 05/08/2011 made in Crl.MP.No.1/11 in Crl.RC.No.1060/11 on the file of this court.

Bail slip

The Petitioner/Sole Accused namely M.Pushpasekaran S/o.Mariappa Gounder was directed to be released on bail as per the order of this court dated 05/08/2011 made in Crl.MP.No.1/11 in Crl.RC.No.1062/11 on the file of this court.

Bail Slip

The Petitioner /2nd Accused namely M.Pushpasekaran S/o.Mariappa Gounder was directed to be released on bail as per the order of this court dated 05/08/2011 made in Crl.MP.No.1/11 in Crl.RC.No.1061/11 on the file of this Court.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1060 to 1062 of 2011

- 1.M.Pushpasekaran ...Petitioners in Crl.R.C.No.1060  
Proprietor, M/s.Krishna Sago & 1062 of 2011/2<sup>nd</sup> petitioner  
Factory, Namakkal in  
Crl.R.C.No.1061 of 2011/Accused
2. M/s.A.Mariappa Gounder & Co.,  
Represented by its Partner  
M.Pushpasekaran, aged 53 years,  
S/o.Mariappa Gounder ... 1<sup>st</sup> Petitioner in Crl.R.C.No.1061  
of 2011 /Accused

Vs.

- 1.R.Aparna ... Respondent in  
Rep by her Crl.RC.No.1062 & 1061/11/  
power of Attorney K.Ramesh Plaintiff
- 2.K.Ramesh ...Respondent in  
Crl.RC.No.1062/11/Plaintiff

Criminal Revision Cases filed under Section 397 and 401 Cr.P.C. against the judgments of learned Additional District and Sessions Judge, FTC.No.II Salem, passed in C.A.Nos.15, 16 and 17 of 2011 on 11.07.2011 confirming the judgments of learned Judicial Magistrate III, Salem, passed in S.T.C.Nos.287, 288 and 289 of 2009 on 07.02.2011.

For Petitioners: Mr.K.V.Sridharan  
(in all revisions)  
For Respondent : No Appearance  
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#### C O M M O N O R D E R

This Court has reserved orders in these revisions on 21.09.2017. Today, the matters are listed under the caption 'for orders'.

2. Petitioners faced prosecution for offence u/s.138 of the Negotiable Instruments Act. Learned Judicial Magistrate III, Salem, under judgment in S.T.C.Nos.287, 288 and 289 of 2009 dated 07.02.2011, convicted petitioners and sentenced as follows:

| Accused      | S.T.C.No.   | Sentence                                             |
|--------------|-------------|------------------------------------------------------|
| Sole Accused | 287 of 2009 | 6 months S.I. and fine of Rs.500/- i/d 1 month S.I.  |
| A1           | 288 of 2009 | Fine of Rs.500/- i/d 1 month S.I. for A2             |
| A2           |             | 10 months S.I. and fine of Rs.500/- i/d 1 month S.I. |
| Sole Accused | 289 of 2009 | 8 months S.I. and fine of Rs.500/- i/d 1 month S.I.  |

There against, petitioners preferred C.A.Nos.15, 16 and 17 of 2011 on the file of learned Additional District and Sessions Judge, Salem, which came to be dismissed under judgments dated 11.07.2011. Hence, these revisions.

3. Heard learned counsel for petitioners. There is no representation for respondent.

4. Learned counsel for petitioners submits that a compromise has been entered into between parties on 20.04.2017 and the entire amount agreed upon is Rs.9,50,000/- (Rupees nine lakhs and fifty thousand only). The entire amount has been paid to respondent. A copy of the compromise memo with acknowledgment is produced for perusal of this Court. In the circumstances, this Court is inclined to allow these revisions.

5. Accordingly, these Criminal Revision Cases shall stand allowed. The offence under section 138 of the Negotiable Instrument Act tried in S.T.C.Nos.287,288 and 289 of 2009 on the file of learned Judicial Magistrate III, Salem shall stand compounded. Petitioners shall stand acquitted in these cases. Copy of the Joint Memo dated 20.04.2017 filed to compound the offence shall form part of records.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rka/kv

To

- 1.The Additional District and Sessions Judge,  
Fast Track Court, No.II,  
Salem
  - 2.-do- Thro'The Principal Sessions Judge,  
Salem
  - 3.The Judicial Magistrate,  
No.3, Salem.
  - 4.-do-Thro'The Chief Judicial Magistrate Salem
  - 5.The Public Prosecutor high Court, Madras
  - 6.The Section Officer Criminal Section  
High court, Madras
- +3 ccs to Mr.K.V.Sridharan Advocate sr 82825,82826  
82827

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skv(co)  
aa27/03/2018