

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2017

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THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1154 of 2015

S.Renuga
Proprietor/Authorised Signatory,
V.T.Paper Products,
No.71/13C, Kalarampatti Main Road,
4th Cross, Karungalpattai,
Gugai, Salem.
S/o.Soundappan ... Petitioner/Appellant/Accused

Vs.

M/s.Pandian Paper Co.,
Rep. by POA S.Veerappan,
No.59, Anderson Street,
Chennai-1. ... Respondent/Respondent/Complainant

Criminal Revision Case filed under Section 397 and 401 Cr.P.C. to call for the records in C.A.No.70/2014 dated 24.07.2015 on the file of the learned XIX Additional District Sessions Judge, Chennai and confirmed the C.C.No.301 of 2011 dated 20.02.2014 on the file of Learned Metropolitan Magistrate Court No.IV, George Town, Chennai-1 and to set aside the same.

For Petitioner : Mr.K.T.S.Sivakumar
For Respondent : Mr.A.Babu

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 undergo 2 years S.I. and directing him to pay a sum of Rs.7,50,000/- as compensation to the complainant.

2. Learned counsel for petitioner submitted that the matter stands compromised between parties. Learned counsel further submitted that during the pendency of the above revision, petitioner has paid a sum of Rs.1 lakh by way of cash on 13.06.2017 and the balance amount of Rs.6,50,000/- by way of

Demand Draft bearing No.763408, dated 09.08.2017, drawn on Corporation Bank, Salem,-Shevapet Branch, was handed over to the respondent/defacto complainant towards full and final settlement.

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 upon receipt of entire amount.

4. In view of the Joint Memo of Compromise dated 05.09.2017 filed to compound the offence signed by respective 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. Fine amount, if any, paid by petitioner shall be refunded to him. Bail Bonds, if any, executed shall stand cancelled. Joint Memo of Compromise dated 05.09.2017 filed to compound the offence shall form part of records.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The XIX Additional District Sessions Judge
Chennai.

2. The IV Metropolitan Magistrate
George Town, Chennai

+1 Cc to Mr. T.R. Ravi, Advocate sr 66154.

+1 Cc to Mr. K.T.S. Sivakumar, advocate sr 66555.

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VSN (CO)
sp(01/11/2017)