

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.1133 of 2010

and

M.P.Nos.1 and 2 of 2010

Shanmugasigamani
S/o.Marimuthu

.. Petitioner

vs.

Srinivasan
S/o.Govindarasu

.. Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment of learned Additional District and Sessions Judge, Fast Track Court III, Virudhachalam, passed in C.A.No.4 of 2010 on 25.10.2010 confirming the judgment of learned District Munsif cum Judicial Magistrate, Neyveli, passed in C.C.No.340 of 2007 on 06.01.2010.

For Petitioner : Mr.C.A.Anbu Raja

For Respondent : No appearance

ORDER

This revision arises against two concurrent judgments of Courts below

convicting the petitioner for offence u/s.138 of the Negotiable Instruments Act and sentencing him to 6 months S.I. and directing him to pay compensation in a sum of Rs.90,000/- within one month.

2. Respondent stands served through publication but he has not appeared before this Court either in person or through his pleader.

3. Learned counsel for petitioner submits that the offence u/s.138 of the Negotiable Instruments Act tried in C.C.No.340 of 2007 on the file of learned District Munsif cum Judicial Magistrate, Neyveli, stands compounded and in support of such submission, furnishes a letter dated 10.11.2010 which reveals that the respondent has received a sum of Rs.90,000/- by way two demand drafts bearing Nos.943935 and 943937 drawn on State Bank of India, Neyveli, in full quit. Such letter also bears the attestation of two other persons as witnesses.

Finding no reason to doubt the authenticity of the contention of learned counsel for petitioner, this Court allows this revision. Accordingly, the Criminal Revision Case shall stand allowed. The offence under section 138 of the Negotiable Instrument Act tried in C.C.No.340 of 2007 on the file of learned District Munsif cum Judicial Magistrate, Neyveli, shall stand compounded.

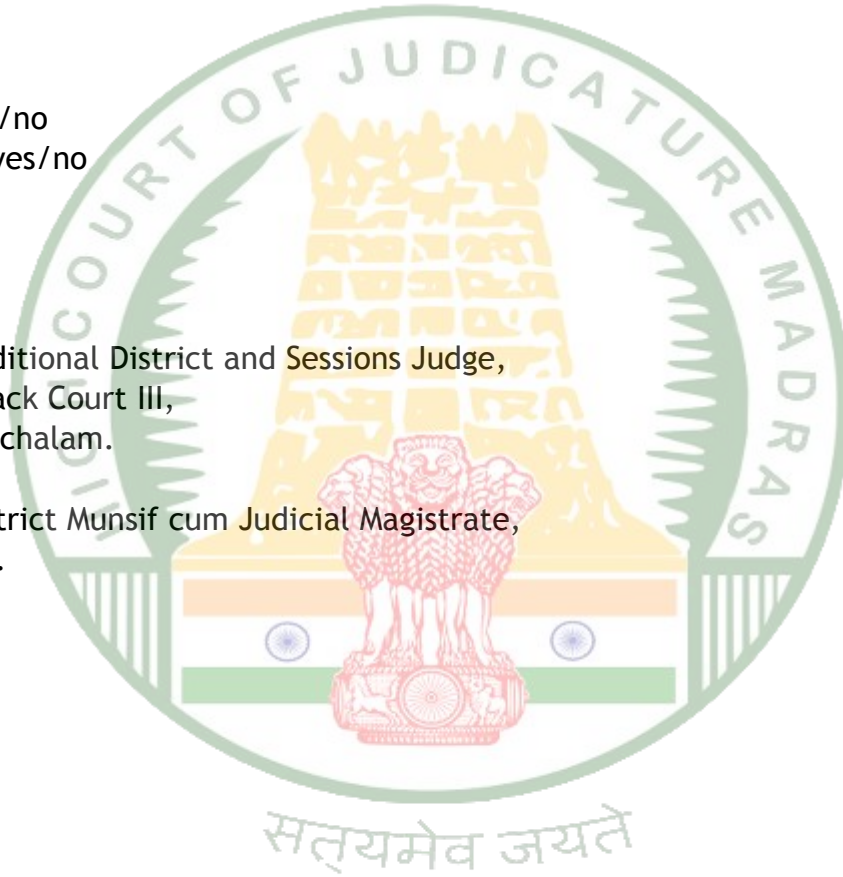
Petitioner shall stand acquitted in the case. Fine amount, if any, paid by petitioner shall be refunded to him. Bail Bonds, if any, executed shall stand cancelled. Letter of respondent dated 10.11.2010 shall form part of records. Connected miscellaneous petitions are closed.

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Index:yes/no
Internet:yes/no
gm

To

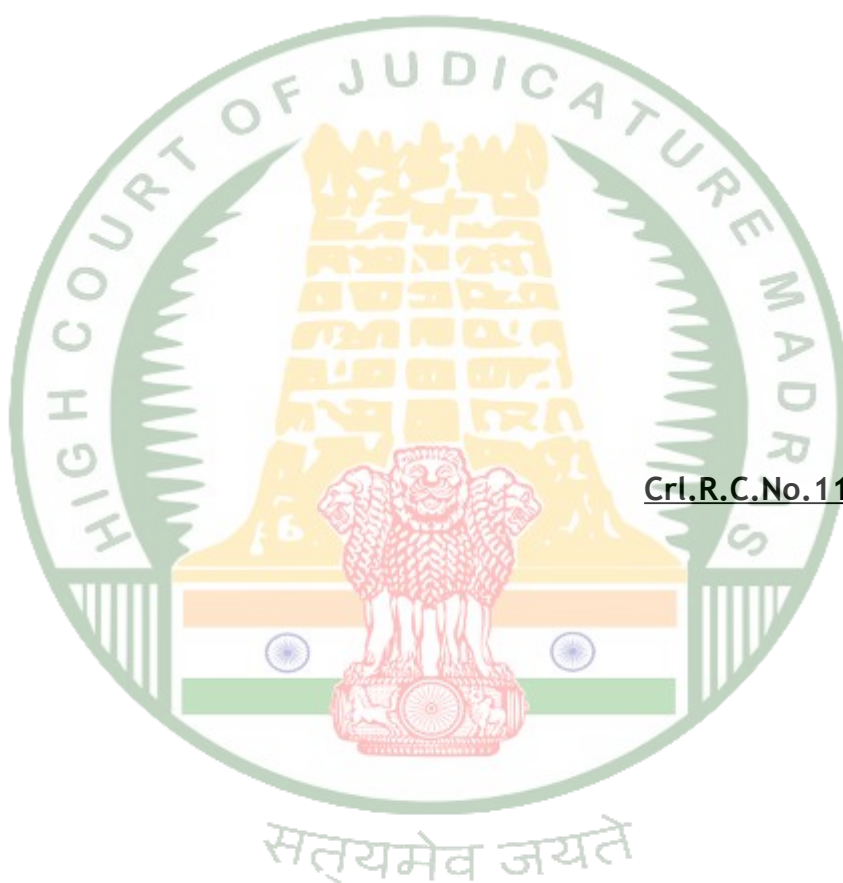
- 1.The Additional District and Sessions Judge,
Fast Track Court III,
Virudhachalam.
- 2.The District Munsif cum Judicial Magistrate,
Neyveli.



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C.T. SELVAM, J

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