

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1269 of 2010S.Sivaraman
S/o.Soundappan

... Petitioner

Vs.

Nagendran
S/o.Priambaiyyan

... Respondent

Criminal Revision Case filed under Section 397 and 401 Cr.P.C. against the judgment of learned Additional District and Sessions Judge, Fast Track Court I, Salem, passed in C.A.No.102 of 2009 on 02.11.2010, confirming the judgment of learned Judicial Magistrate III, Salem, passed in C.C.No.47 of 2006 on 27.08.2009.

For Petitioner : Mr.C.Ram Kumar
For Respondent : Mr.D.Shivakumaran

ORDER

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 9 months S.I. and fine of Rs.1,500/-.

2. Learned counsel for petitioner submitted that the matter stands compromised between parties. Learned counsel further submitted that petitioner has issued two demand drafts viz., (i) 021871 dated 07.07.2017 drawn on Canara Bank in a sum of Rs.49,000/- and (ii) 417476 dated 21.07.2017 drawn on Pallavan Grama Bank in a sum of Rs.1,51,000/- to respondent 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 cheque amount.

In view of the Joint Memo of Compromise 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 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 21.08.2017 filed to compound the offence shall form part of records.

21.08.2017

Index:yes/no

Internet:yes/no

To

1.The Additional District and Sessions Judge,
Fast Track Court I,
Salem.

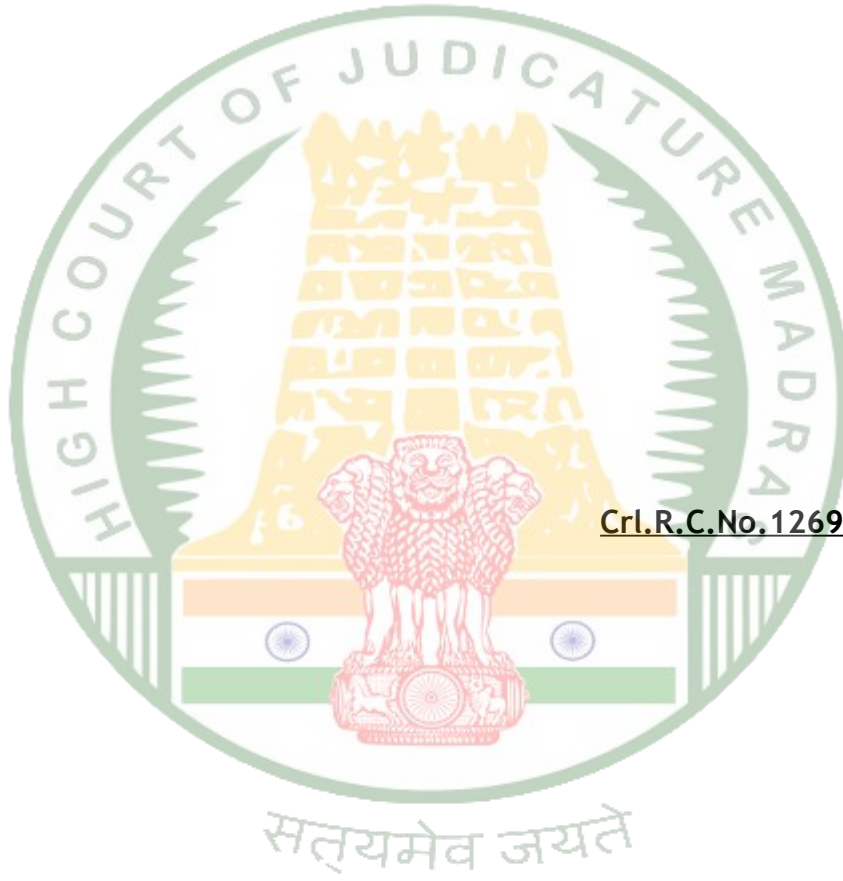
2.The Judicial Magistrate III,
Salem.



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C.T.SELVAM, J

gm



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