

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.R.C.No.1577 of 2008

1. Sri Rama Jayam Service Station,
rep. By Mandate holder,
No.245, Royapettai High Road,
Chennai -14.
2. Vasudevan,
Mandate holder,
No.245, Royapettai High Road,
Chennai -14. ... Petitioners

Vs

Hari Hand Gothi
Old No.44, New No.31,
Kalahippillai Street,
Sowcarpet,
Chennai - 79 ... Respondent

Prayer:- Criminal Revision filed under Section 397 and 401 Cr.P.C., against the judgment dated 12.09.2008 passed in C.A.No.167 of 2008 by the III Additional Sessions Judge, Chennai, confirming the conviction and sentence passed by the XII Small Causes Court/Special Metropolitan Magistrate,, Chennai in S.T.C.No.17 of 2007 dated 12.03.2008.

For Petitioners : Mr. Mohamed Rafi
For Respondent : Mr.N.Ranganathan

ORDER

The petitioners are accused in S.C.No.17/2007. The trial Court convicted the petitioners/accused under Section 138 of Negotiable Instrument Act and sentenced the second petitioner/A2 to undergo imprisonment for 6 months. Since the first petitioner is the company, the trial court directed the first petitioner to pay a sum of Rs.4,30,000/- as compensation to the respondent/complainant within a period of one month.

Challenging the same, the petitioners have filed an appeal in C.A.No.167 of 2008 on the file of the III Additional Sessions Court, Chennai, and the lower appellate court dismissed the appeal, by confirming the conviction and sentence passed by the trial court. Challenging the same, the present revision has been filed.

2. Now, pending revision, the parties have settled the matter between themselves and the petitioners/accused had paid a sum of Rs.5,50,000/- by way of a Demand Draft and the respondent has also received the same. Today, both the petitioner/accused and the respondent/complainant were present and the complainant also acknowledged the receipt of the Demand Draft.

3. In the above circumstances, since the dispute between the parties have been settled between themselves, the revision is allowed and the conviction and sentence passed by the courts-below are set-aside and the petitioners stand acquitted.

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Sessions Judge.,
III Additional Sessions Judge,
Chennai.
 2. The Judge,
XII Small Causes Court/Special Metropolitan Magistrate,
Chennai.
 3. The Public Prosecutor,
High Court, Madras.
- +1 CC to M. Mohamed Rafi, Advocate sr 1803

Cr1.R.C.No.1577 of 2008

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