

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1162 of 2016

and

Crl.M.P.Nos.10235 and 10236 of 2016

Thiyagarajan

... Petitioner/Accused

Vs.

Yuvaraj

... Respondent/Complainant

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment of learned II Additional Sessions Judge, Erode, passed in C.A.No.19 of 2016 dated 09.09.2016 confirming the judgment of learned District Munsif cum Judicial Magistrate, Kodumudi, passed in S.T.C.No.199 of 2013 on 12.01.2016.

For Petitioner : Mr.R.C.Paul Kanagaraj

For Respondent : Mr.V.Balamurugane

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 1 year R.I. and to pay a compensation of Rs.5,00,000/- within a period of 3 months i/d 3 months S.I.

2. Learned counsel for petitioner submits that the matter stands compromised upon receipt of entire cheque amount of Rs.5,00,000/- by respondent/ complainant.

3. Learned counsel for respondent affirms the submissions of learned counsel for petitioners viz., that the dispute stands settled between de facto complainant and petitioner.

4. In view of the Compromise Memo filed to compound the offence signed by parties as also the respective counsels, 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 tried in S.T.C.No.199 of 2013 on the file of learned District Munsif cum Judicial Magistrate, Kodumudi, shall stand compounded. Petitioner shall stand acquitted in the case. Compromise Memo dated 14.02.2017 filed to compound the offence shall form part

of records. Connected miscellaneous petitions are closed.

Learned District Munsif cum Judicial Magistrate, Kodimudi is directed to permit withdrawal of sum of Rs.2,50,000/- to the petitioner upon his moving an application there regards.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The II Additional Sessions Judge, Erode,

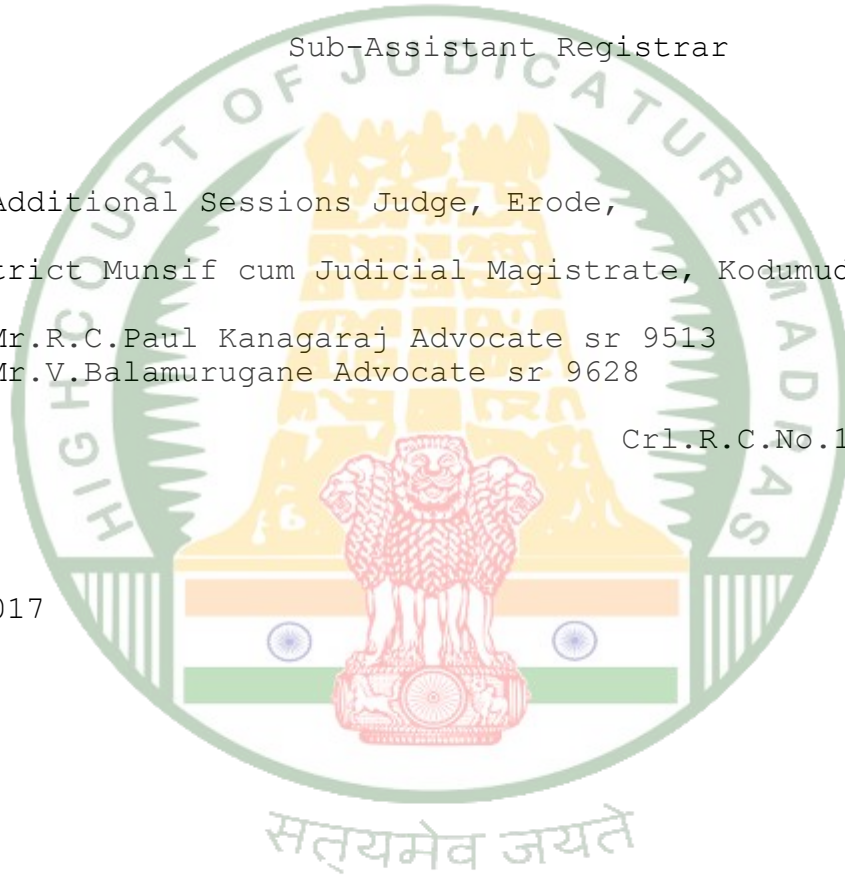
2.The District Munsif cum Judicial Magistrate, Kodumudi

+1 cc to Mr.R.C.Paul Kanagaraj Advocate sr 9513

+1 cc to Mr.V.Balamurugane Advocate sr 9628

Cr1.R.C.No.1162 of 2016

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