

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1204 of 2016 and
Crl.M.P.No.10814 of 2016 and
Crl.M.P.No.10941 of 2016

N.Karnan ... Petitioner/Accused

Vs

V.S.P.Suresh ...Respondent/Complainant

Prayer:- Criminal Revision filed under Section 397 and 401 of Crl.P.C., praying to call for the records on the file of the learned District and Sessions Judge, Vellore, Vellore District in Crl.A.No.40 of 2015 dated 21.03.2016 against the judgment and sentence passed in C.C.No.212 of 2013 on the file of the learned Judicial Magistrate (Fast Track Court), Vellore, Vellore district dated 13.07.2015 and set aside the judgment dated 21.03.2016.

For petitioner : Mr. E.Kannadasan
For Respondent : Mr.R.Gopinath

for M/s.MC Gan Law

Firm

O R D E R

Challenging the judgment and sentence passed by the learned Principal District and Sessions Judge, Vellore, Vellore district in Crl.A.No.40 of 2015 by judgment dated 21.03.2016, the petitioner has filed the present revision.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. The petitioner was convicted for the offences under Section 138 of Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for one month and to pay a sum of Rs.1,10,000/- as compensation to the complainant u/s.357 of Cr.P.C. by Principal District and Sessions Judge, Vellore under judgment in C.C.No.212 of 2013 dated 13.07.2015.

4. A memo of compromise between the parties has been filed before this Court today. The petitioner is willing to settle the dispute by paying the entire compensation amount of

Rs.1,10,000/- to the respondent. Today the petitioner had paid a sum of Rs.82,500/- by cash to the respondent and the balance amount of Rs.27,500/- is held to the credit of C.C.No.212 of 2013 on the file of the Judicial Magistrate (Fast Track Court), Vellore. The trial Court is directed to effect payment of Rs.27,500/- to the respondent upon due application. Fine of Rs.5,000/- paid by the petitioner before the trial Court shall be returned to the petitioner. Memo of compromise dated 27.02.2017 signed by the petitioner and respondent and also both counsels shall form part of record.

5. Accordingly this Criminal Revision is disposed of. Connected Miscellaneous petitions are also closed.

(Xerox copy of the Memo of Compromise)

Sd/-

Asst.Registrar (CSV)

/true copy/

Sub Asst. Registrar

To

1. The District and Sessions Judge, Vellore,
Vellore District

2. The Judicial Magistrate (Fast Track Court),
Vellore

+1 cc to M/s.Mcgan Law Firm,advocate,sr.12846

+1 cc to Mr.E.kannadasan,advocate,sr.12775.

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