

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Cr1.R.C.No.1219 of 2016
and
Cr1.M.P.No.10914 of 2016

M.Murugan
S/o.Munian

... Petitioner

Vs.

N.C.Ravi
S/o.Chennappan

... Respondent

Criminal Revision Case filed under Section 397 and 401 Cr.P.C. against the judgment of learned Principal Sessions Judge, Dharmapuri, passed in C.A.No.28 of 2012 on 08.09.2014.

For Petitioner : Mr.D.Sreenivasan

For Respondent : Mr.V.Sakkarapani

O R D E R

This Court has reserved orders in this revision on 02.11.2016. The matter was listed on 04.01.2017 under the caption "for orders". Thereafter, upon request, the case was adjourned on three occasions. Today, the matter is listed under the caption 'for orders'.

2. This revision is preferred against judgment of learned Principal Sessions Judge, Dharmapuri, passed in C.A.No.28 of 2012 on 08.09.2014. Petitioner faced prosecution for offence u/s.138 of the Negotiable Instruments Act. Learned Judicial Magistrate, Fast Track Court, Dharmapuri, under judgment dated 31.05.2012, convicted the petitioner and sentenced him to 1 year S.I. and to pay compensation in a sum of Rs.3,25,000/- to the complainant within two months i/d 3 months S.I. Against such finding, petitioner preferred C.A.No.28 of 2012 on the file of learned Principal Sessions Judge, Dharmapuri, which came to be dismissed for non-prosecution under judgment dated 08.09.2014. Hence, this revision.

3. Learned counsel for petitioner submitted that the matter stands compromised between the parties upon receipt of entire cheque amount. The details of payment are as follows:

Pay Order No.	Date	Amount
002785	03.01.2017	1,50,000/-
002817	24.02.2017	1,00,000/-
002847	20.03.2017	75,000/-

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

In view of the Joint Memo filed to compound the offence signed by 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. Joint Memo dated 04.04.2017 filed to compound the offence shall form part of records. Connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The Principal Sessions Judge,
Dharmapuri.

2.The Judicial Magistrate,
Fast Track Court,
Dharmapuri.

+1 cc to mr.D.Sreenivasan,advocate,sr.20389

+1 cc to Mr.V.Sakkarapani,advocate,sr.20500.

ss(co)
krd 7/4

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