

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

CrI.R.C.No.1258 of 2016

and

CrI.M.P.Nos.11313, 11314 and 12069 of 2016

Mohanraj
S/o.Poogavanam

...Petitioner/Accused

Vs.

T.Thomas
S/o.Xavier

...Respondent/Complainant

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment of learned I Additional Sessions Judge, Chennai, passed in C.A.No.71 of 2015 on 06.05.2016 confirming the judgment of learned IV Metropolitan Magistrate, Fast Track Court, George Town, Chennai, passed in C.C.No.10840 of 2005 on 05.02.2014.

For Petitioner : Mr.P.D.Umashankar

For Respondent : Ms.Anita Thomas

ORDER

This Court has reserved orders in this revision on 30.11.2016. The matter was listed on 31.01.2017 under the caption "for orders". Upon the request of either side, the case was adjourned to 02.02.2017. Today, the matter is listed under the caption 'for orders'.

2. 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 S.I. and to pay compensation in a sum of Rs.1,13,000/-.

3. Learned counsel for petitioner submitted that the matter stands compromised between the parties. Learned counsel further submitted that petitioner has handed over a demand draft bearing No.587556 dated 25.01.2017 drawn on Indian Overseas Bank, Maduvankarai, Chennai, in a sum of Rs.1,13,000/- to

respondent/complainant.

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.

5. In view of the Compromise Memo 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. Compromise Memo dated 02.02.2017 filed to compound the offence shall form part of records. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

1. The I Additional District and Sessions Judge,
Coimbatore.
2. The Judicial Magistrate,
Fast Track Court II,
Coimbatore.

+1cc to Mr.Uma Shankar, Advocate, S.R.No.6429

VSN(CO)
RS(24/02/2017)

सत्यमेव जयते

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