

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1653 of 2016

and

Crl.M.P.Nos.13697 and 13699 of 2016

R.Subramaniam

... Petitioner

Vs.

Balakumar

... Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the judgment of learned I Additional District and Sessions Judge, Erode, passed in C.A.No.60 of 2015 on 02.12.2016 confirming the judgment of learned Judicial Magistrate (Fast Track I,) Erode, passed in S.T.C.No.21 of 2012 on 12.06.2015.

For Petitioners: Mr.R.Thirumoorthy

For Respondent : Mr.P.P.Shanmuga Sundaram

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 sentencing him to 6 months S.I. and imposing fine of Rs.5,000/- i/d 15 days S.I.

2. Learned counsel for petitioner submitted that the matter stands compromised between the parties. Learned counsel further submitted that petitioner has handed over demand draft bearing No.335241 dated 04.02. 2017 in a sum of Rs.1,60,000/- to the respondent/complainant.

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

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 shall stand compounded. Petitioner shall stand acquitted in the case. Compromise Memo dated 08.02.2017 filed to compound the offence shall form part of records. ***fine amount, if any paid shall be**

refunded to petitioner Connected miscellaneous petitions are closed.

*enclose xerox copy of
Memo of Compromise

-s/d-

Assistant Registrar
dated:14/03/2017

***Corrected as per order
of this Court dated 06/04/2017
made in CRL RC No.1653/16**

**sd-
Assistant Registrar
Dated:17/04/2017**

True Copy

Sub-Assistant Registrar

To

1.The I Additional District
and Sessions Judge, Erode

To be Substituted to the
order already despatched
on the date 22/05/2017

2.-do- Thro The Principal
Sessions Judge, Erode

3.The Judicial Magistrate
cum Fast Track I, Erode

4.-do- Thro 'The Chief Judicial Magistrate
Erode

+1 cc to Mr.R.Thirumoorthy Advocate sr **21202**

+1 cc to Mr.P.P.Shanmugasundaram Advocate sr 8574

Crl.R.C.No.1653 of 2016

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