

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2017

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Cr1.R.C.No.280 of 2016

Mrs.Sudha ... Petitioner/Appellant/Accused

Vs

Narayanan ... Respondent/Respondent/Complainant

Criminal Revision Case filed under Section 397(1) and 401 Cr.P.C. to call for the records pertaining to the Judgment dated 12.01.2016 made in C.A.No.58 of 2015 on the file of the learned Additional District and Sessions Judge, Krishnagiri, confirming the judgment dated 30.06.2015 in S.T.C.No.207 of 2014 passed by the learned Judicial Magistrate, Fast Track Court, Hosur convicting the petitioner under Section 138 of the Negotiable Instrument Act, sentencing her to undergo simple imprisonment for six months and ordering the petitioner to pay Rs.5,00,000/- as compensation to the respondent under Section 357 Cr.P.C., set aside the same.

For Petitioner : Mr.A.Balamurugan

For Respondents : Mr.N.Ganesh

O R D E R

This revision has been filed against the conviction. The accused in S.T.C.No.207 of 2009 on the file of the learned Judicial Magistrate Fast Track Court, Hosur, is petitioner herein. She stood charged for the offence under Section 138 of Negotiable Instrument Act. After trial, the trial Court convicted the petitioner/accused and sentenced her to undergo six months simple imprisonment and to pay a sum of Rs.5,00,000/- as compensation to the respondent/complainant. Challenging the above said conviction and sentence, the petitioner has filed a Criminal Appeal in C.A.No.58 of 2015 on the file of the learned Additional District and Sessions Judge, Krishnagiri. The lower appellate Court, by its judgment dated 12.01.2016, dismissed the appeal, confirming the judgment passed by the Trial Court. Challenging the above said conviction and sentence, the petitioner preferred this present criminal revision case.

2. Today, when the matter was taken up for hearing, the respondent/complainant filed a petition under Section 320 Cr.P.C. to compound the offence on the ground that the parties have settled the dispute between themselves, and he has also received a sum of Rs.4,00,000/- (Rupees four lakhs only) from the petitioner/accused. Today, the respondent/complainant along with his counsel present. He has submitted that already he received the above said amount and prays for compounding the offence.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent/complainant and perused the materials available on record.

4. Taking into consideration the fact that the parties have settled the dispute and the respondent/complainant is not willing to proceed with the case, and he wanted to compound the case on the ground that the petitioner/accused paid a sum of Rs.4,00,000/- (Rupees four lakhs only) to the complainant, the parties are permitted to compound the offence.

5. In the above circumstances, the criminal revision case is allowed, the conviction and sentence imposed on the petitioner by both the Courts below are set aside.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

- 1.The Judicial Magistrate,
Fast Track Court, Hosur.
- 2.The Additional District and
Sessions Judge,
Krishnagiri.
- 3.The Chief Judicial Magistrate,
Krishnagiri.

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4.The Public Prosecutor,
High Court, Madras-104.

Crl.R.C.No.280 of 2016

pvs[co]
srg 13/04/2017



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