

BAIL SLIP

The Petitioner/Accused name P.Siva S/o.T.R.Paramasivam was released on bail as per order of this Court dated 10.08.2016 MP.1/2010 in Crl.R.C.848/2010.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :02.08.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C. Nos.1110 and 848 of 2010

CRL.RC.No.1110 of 2010

C.N.Srikanth

...Petitioner/Complainant

Versus

P.Siva

...Respondent/Accused

CRL.RC.No.848 of 2010

P.Siva

...Petitioner/Accused

Versus

C.N.Srikanth

...Respondent/Complainant

Prayer in CRL.RC.No.1110 of 2010:-

The Criminal Revision Petition is filed under Section 397 Cr.P.C read with 401 Cr.P.C., to set aside the Judgment in C.A.No.76 of 2009 dated 11.06.2010 passed by 4th Addl. Judge, City Civil Court, Chennai and confirming the order of Conviction of sentence dated 13.04.2009 in C.C.No.28876 of 2004 on the file of learned XIV Metropolitan Magistrate, Egmore, Chennai by allowing above Criminal Revision Petition and awarding the Compensation in favour of the petitioner in respect of not awarding the Compensation in favour of the petitioner.

Prayer in CRL.RC.No.848 of 2010:-

The Criminal Revision Petition is filed under Section 397 Cr.P.C read with 401 Cr.P.C., to set aside the order of the Hon'ble IV Additional Judge, Chennai passed in C.A.No.76 of 2009 dated 11.06.2010 confirming the order of learned XIV Metropolitan Magistrate, Egmore, Chennai dated 13.04.2009 and consequently acquit the petitioner of the charges under section 138 of The Negotiable Instruments Act.

For Petitioner

in CRL.RC.1110/2010

and

For Respondent

in CRL.RC.848/2010 : Mr.N.Manisekaran

For Respondent

in CRL.RC.1110/2010

and

For Petitioner

in CRL.RC.848/2010 : Mr.M.Mohammed Rafi

ORDER

The Criminal Revision Case No.1110 of 2010 arises against the judgment dated 13.04.2009 in C.C.No.28876 of 2004 on the file of learned XIV Metropolitan Magistrate, Egmore, Chennai, wherein accused was tried for an offence under Section 138 of Negotiable Instruments Act.

2. Criminal Revision Case No.848 of 2010 arises against the judgment dated 11.06.2010 in C.A.No.76 of 2009 passed by 4th Additional Judge, City Civil Court, Chennai.

3. Heard learned counsel for petitioner and learned counsel for respondent.

4. By the judgment under challenge, the Court below had confirmed the finding of conviction and sentence passed in C.C.No.28876 of 2004 on the file of XIV Metropolitan Magistrate, Egmore, Chennai. Even while doing so, Court below did away with the trial Court requiring the accused to pay compensation. Aggrieved by such finding, the complainant has preferred Crl.R.C.No.1110 of 2010.

5. Present Joint memo of compromise dated 01.08.2017 informing the settlement between the parties on terms stated therein is filed by both the respondent and petitioner.

6. Accepting said Joint Compromise Memo, these Criminal Appeals shall stand allowed and the case tried in C.C.No.28876 of 2004 for an offence under section 138 of the Negotiable Instrument Act shall stand compounded. Respondent/Accused in Crl.RC.No.1110 of 2010, Petitioner/accused in Crl.R.C.No.848 of 2010 shall stand acquitted in C.C.No.28876 of 2004. Fine, if any, paid shall be refunded. Bail Bonds, if any, executed shall stand cancelled.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmi
To

1. The 4th Additional Judge,
City Civil Court, Chennai.
2. The XIV Metropolitan Magistrate,
Egmore, Chennai.
3. Do Thro Chief Metropolitan Magistrate,
Egmore, Chennai.
4. The IV Additional Sessions Judge,
Chennai.
5. The Superintendent,
Central Prison, Puzhal
6. The District Collector,
Chennai
7. The Director General of Police,
Mylapore, Chennai -4
8. The Section Officer,
Criminal Section,
High Court, Madras.

+1cc to Mr.N.Manisekaran, Advocate, S.R.No.55142

Crl. R.C.Nos.848 and 1110 of 2010

RR(CO)
CS/21/11/17