

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2017

CORAM:

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

CrI.R.C.Nos.839 and 864 of 2016
and
CrI.M.P.Nos.6609, 6610, 6356 and 6357 of 2016

D.Govindaraj
S/o.Devarej

...Petitioner in both revisions

vs.

M/s.Sri Jai Balaji Financiers,
represented by its Managing Parnter,
A.K.D.Shanmugam

... Respondent in both revisions

Criminal Revision Cases filed under Section 397 and 401 Cr.P.C. against the judgments of learned I Additional District and Sessions Judge, Vellore, Vellore District, passed in C.A.Nos.7 and 8 of 2012 on 20.04.2016 confirming the judgments of Fast Track Court, Magisterial Level, Vellore, Vellore District, passed in C.C.Nos.89 and 90 of 2011 on 30.12.2011.

For Petitioner : Mr.E.Kannadasan
[in both revisions]

For Respondent : Mr.D.Rajagopal
[in both revisions]

C O M M O N O R D E R

These revisions arise against the judgments of learned I Additional District and Sessions Judge, Vellore, Vellore District, passed in C.A.Nos.7 and 8 of 2012 on 20.04.2016 confirming the judgments of learned Judicial Magistrate, Fast Track Court, Vellore, Vellore District, passed in C.C.Nos.89 and 90 of 2011 on 30.12.2011.

2. Petitioner faced trial in C.C.Nos.89 and 90 of 2011 on the file of learned Judicial Magistrate, Fast Track Court, Vellore, for offence u/s.138 of the Negotiable Instruments Act. Trial Court, under judgments dated 30.12.2011, convicted the

petitioner and sentenced him to 12 months R.I. and to pay compensation of Rs.1,75,000/- to the complainant in C.C.No.89 of 2011 and 6 months R.I. and to pay compensation of Rs.1,00,000/- to the complainant in C.C.No.90 of 2011. There against, petitioner preferred C.A.Nos.7 and 8 of 2012 on the file of learned I Additional District and Sessions Judge, Vellore, Vellore District, which came to be dismissed under judgments dated 20.04.2016. Hence, these revisions.

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

4. Both the matters have been referred to Tamil Nadu Mediation and Conciliation Centre attached to this Court. The reports of the Mediation Centre dated 12.01.2017 inform settlement arrived at between the parties. In keeping there with, petitioner has effected payment by way of demand drafts. The details thereof are as follows:

C.C.No.89 of 2011	Rs.1,75,000/- -	Demand Draft No.025934 dated 09.12.2016
C.C.No.90 of 2011	Rs.1,00,000/- -	Demand Draft No.026044 dated 07.01.2017

5. Recording the said position, these Criminal Revision Cases shall stand allowed. The offence u/s.138 of the Negotiable Instruments Act tried in C.C.Nos.89 and 90 of 2011 on the file of learned Judicial Magistrate, Fast Track Court, Vellore, shall stand compounded. As a consequence, petitioner shall stand acquitted of the charges levelled against him in the cases. Connected miscellaneous petitions are closed.

The sum of Rs.20,000/- and Rs.10,000/- deposited by petitioner to the credit of C.C.Nos.89 and 90 of 2011 respectively shall be returned to him on due application.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

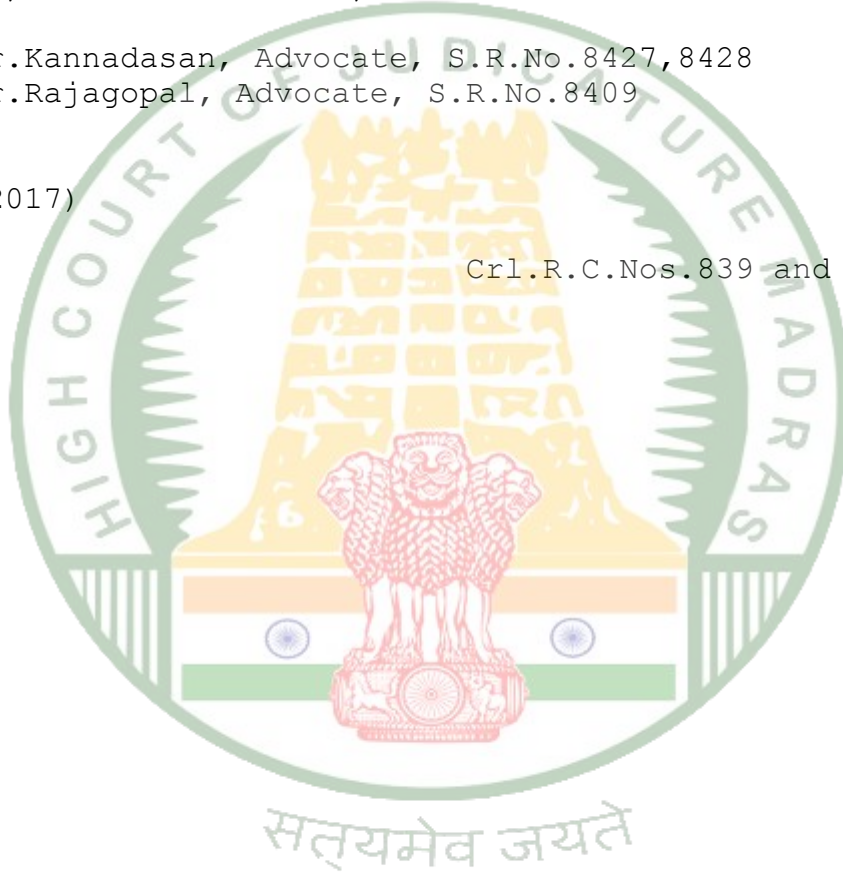
1. The I Additional District and Sessions Judge,
Vellore,
Vellore District.

2. The Judicial Magistrate,
Fast Track Court,
Magisterial Level,
Vellore, Vellore District,

+2cc to Mr.Kannadasan, Advocate, S.R.No.8427,8428
+1cc to Mr.Rajagopal, Advocate, S.R.No.8409

USN(CO)
RS(02/03/2017)

Crl.R.C.Nos.839 and 864 of 2016



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