



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2017

CORAM

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl RC(MD) No.196 of 2015

and

Crl MP(MD)No.8693 of 2017

K.Thilagavathi

.. Petitioner/Accused

Vs.

Sriparkunann

.. Respondent/Complainant

Criminal Revision Case filed under section 397(1) Cr.P.C to call for records in C.A.No.31 of 2014 dated 12.03.2015 on the file of the Principal District and Sessions Court, Tiruchirapalli, confirming the judgment in S.T.C.No.529 of 2012 dated 04.03.2014 on the file of the Judicial Magistrate, Manapparai and set aside the same by way of allowing this Revision Petition.

For Petitioner	: Mr.P.Ganapathi Subramanian
For Respondent	: Mrs.S.Durga Lakshmi for Mr.Karthick Subramanian

ORDER

The petitioner/accused stood convicted for the offence under Section 138 of the Negotiable Instruments Act, 1881 in STC No.529 of 2012 on the file of the Judicial Magistrate Court, Manapparai and she was sentenced to undergo one year rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo two months simple imprisonment. Challenging the same, she filed Crl.A.No.31 of 2014 on the file of the Principal District and Sessions Court, Tiruchirapalli. The lower appellate Court confirmed the conviction and sentence and dismissed the appeal. Challenging the same, the present Criminal Revision Case has been filed.

2.Today, when the matter was taken up hearing, the learned counsel for the petitioner submitted that pending revision, both parties have settled the dispute between themselves and the petitioner/accused has paid the entire cheque amount of Rs.1,50,000/- and the respondent/complainant has also received the services. The petitioner has also filed a petition in Crl.M.P(MD) No.8693 of 2017 to record the compromise and to compound the offence.



3.The petitioner/accused and respondent/complainant are present before the Court and when the Court enquired, the respondent/complainant, submitted that he has received the entire amount of Rs.1,50,000/- and he is not interested in continuing the present proceedings.

4.Considering the fact that the dispute between the parties has already been settled and also considering that the offence is compoundable offence, I am inclined to compound the offence.

5.In fine, this Criminal Revision Case is allowed. The conviction and sentence passed in STC No.529 of 2012 by the Judicial Magistrate, Manapparai, confirmed in CrI.A.No.31 of 2014 by the Principal District and Sessions Court, Trichirapalli are set aside and the offence is compounded. CrI.M.P(MD)No.8693 of 2017 is allowed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

1.The Principal District and Sessions Judge,
Trichirapalli.

2.The Judicial Magistrate, Manapparai,

3.Do through the Chief Judicial Magistrate,
Tiruchirappalli

+One cc to Mr.P.Ganapathi Subramanian, Advocate, SR.No.80304

mj

RL/5C/2P/GT/SAR1/3/10/2017

CrI.R.C(MD)No.196 of 2015

20.09.2017