



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED

Crl.R.C. (MD) Nos.141 and 142 of 2017

and

Crl.M.P. (MD) No.1391 of 2017

Crl.R.C. (MD) No.141 of 2017:

Premi Sakay ... Petitioner/Accused

Vs.

Lourdhu Samy ... Respondent/Complainant

PRAYER: The Petition filed under Sections 397 and 401 Cr.P.C., to call for the impugned common order dated 29.11.2016 in C.A.No.48 of 2016 passed by the learned III Additional District and Sessions Judge, Trichirapalli modifying the sentence and compensation passed by the learned Judicial Magistrate No.V, Tiruchirapalli in C.C.No.92 of 2003 dated 08.06.2015 and set aside the same by allowing this Criminal Revision Case.

Crl.R.C. (MD) No.142 of 2017:

Premi Sakay ... Petitioner

Vs.

Lourdhu Samy ... Respondent

PRAYER: The Petition filed under Sections 397 and 401 Cr.P.C., to call for the impugned common order dated 29.11.2016 in C.A.No.12 of 2016 passed by the learned III Additional District and Sessions Judge, Trichirapalli dismissing the appeal and modifying the sentence and compensation passed by the learned Judicial Magistrate No.V, Tiruchirapalli in C.C.No.92 of 2003 dated 08.06.2015 and set aside the same by allowing this Criminal Revision Case.

For Petitioner : Mr.C.Arul Vadivel Alias Sekar
For Respondent : Mr.T.Senthil Kumar

COMMON ORDER



2.The petitioner is the accused in C.C.No.92 of 2003 under Section 138 of N.I.Act and the Trial Court has convicted the petitioner under Section 138 of the Act and imposed fine amount of Rs.2000/- in default one month Simple Imprisonment and also a sum of Rs.85,000/- towards compensation and the same has to be paid within 3 months. As against the judgment of the Trail Court, the petitioner preferred Criminal Appeal in Crl.A.No.12 of 2016 before the learned III Additional District and Sessions Judge, Tiruchirapalli and the Appellate Court has dismissed the appeal in Crl.A.No.48 of 2015 and the appeal in Crl.A.No.12 of 2016 the Appellate Court modified the judgment of the Trial Court enhancing the imprisonment for 6 months and also payment of a sum of Rs.1,75,000/- toward compensation and the same should be paid within 3 months and further, confirmed the fine amount of Rs.2,000/- imposed by the Trial Court. Hence, the petitioner is before this Court with these revisions Crl.R.C.(MD)Nos.141 and 142 of 2017.

3.This Court by order dated 25.04.2017 referred the matter before Mediation and Conciliation Centre for settlement. Accordingly, the matter was placed before the mediation and both parties appeared before mediation and the matter was settled between them and a settlement agreement was also filed along with mediation report.

4.In view of the settlement entered into between the parties before mediation, the judgment passed in Crl.A.Nos.12 and 48 of 2015 by the III Additional District and Sessions Judge, Tiruchirapalli are set aside and the Criminal Revision cases are allowed. Consequently, connected Crl.M.P.is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assitant Registrar

To

1.The III Additional District and Sessions Judge, Trichirapalli.

2.The Judicial Magistrate No.V, Tiruchirapalli.

+2cc to Mr.C.Arul Vadivel @ Sekar, Advocate Sr.No.62601 & 62603

NBI

VB/SV/SAR2/19.07.2017/2P/5C