



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE B.GOKULDAS

CrI.R.C.(MD).No.771 of 2016 and  
CrI.M.P.(MD).Nos.11045 and 11046 of 2016

K.Jeeva .. Petitioner/Appellant/Accused

Vs.

Rajangam .. Respondent/Respondent/Complainant

Prayer:- Criminal Revision Petition is filed under Sections 397 and 401 of Cr.P.C. to call for the records pertaining to the orders passed in C.A.No.45 of 2007 on the file of the Additional District and Sessions Judge cum Fast Track Court No.I, Thanjavur, dated 12.05.2009 conforming the orders passed in C.C.No.664 of 2006 on the file of the learned Judicial Magistrate No.3, Thanjavur, dated 14.03.2007, and set aside the same by allowing this criminal revision petition.

For Petitioner :Mr.B.Senthilkumar  
For Respondent :M/s.K.Abiya

#### ORDER

The Criminal Revision Petition is filed to call for the records pertaining to the orders passed in C.A.No.45 of 2007 on the file of the Additional District and Sessions Judge cum Fast Track Court No.I, Thanjavur, dated 12.05.2009 conforming the orders passed in C.C.No.664 of 2006 on the file of the learned Judicial Magistrate No.3, Thanjavur, dated 14.03.2007, and set aside the same.

2. When the matter is taken up for hearing, the petitioner/accused and the respondent/complainant, appeared in person and submitted that both parties have entered into compromise and settled the matter amicably and they also filed a joint compromise memo, dated 03.11.2016, wherein they have duly signed along with their respective counsel. Learned counsel appearing for the parties also endorsed the identify of their respective parties.

3. The counsel appearing on either side filed a joint compromise memo, dated 03.11.2016, duly stating that due to the compromise, the complainant has no willingness to contest the above criminal revision petition filed by the petitioner and both



the parties have compromised in the matter out of Court and this Court may acquit the petitioner from conviction order passed by the Courts below.

4. Considering the offence committed by the petitioner/accused is a compoundable one and in view of joint compromise memo dated 03.11.2016, the conviction and sentence imposed by the Courts below are liable to be set aside. Accordingly, the conviction and sentence imposed on the petitioner by the learned Judicial Magistrate No.III, Thanjavur, in C.C.No.664 of 2006 vide order dated 14.03.2007, which was confirmed by the learned Additional District and Sessions Judge cum Fast Track Court No.I, Thanjavur, vide order dated 12.05.2009 in C.A.No.45 of 2007 are set aside. The Criminal Revision Petition is disposed of on the basis of the compromise entered into between the parties. The joint compromise memo dated 03.11.2016 shall form part of this order. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS I)

/True copy/

Sub Assistant Registrar

To

1.Additional District and Sessions Judge cum  
Fast Track Court No.I, Thanjavur.

2.The Judicial Magistrate No.III,  
Thanjavur.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.B.Senthil Kumar, Advocate SR.No.3560

jikr

sm:RSK:06/02/2017:2P/5C

Cr1.R.C.(MD).No.771 of 2016 &  
Cr1.M.P.(MD).Nos.11045 and 11046 of 2016  
23.01.2017