



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 15.12.2017

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.R.C.(MD).No.870 of 2016

and

Crl.M.P.(MD).No.12721 of 2016 and

Crl.M.P.(MD).No.6389 of 2017

S.Baskaran

... Petitioner

Vs.

T.Navaneethakrishnan

... Respondent

PRAYER: The Criminal Revision Petition has been filed under Section 397 r/w. 401 of Cr.P.C., to call for the records relating to the impugned order dated 19.10.2016 made in Cr.M.P.No.271 of 2016 in C.A.No.15 of 2016 on the file of the VI Additional District and Sessions Judge, Madurai (in STC No.562/2013) on the file of Judicial Magistrate (FTC Court No.1) Magistrate Level, Madurai and set aside the same by allowing the Criminal Revision Petition and allow the revision petitioner to recall D.W.5/Sasikumar, whose evidence was closed by the Tribunal Court at the time of trial.

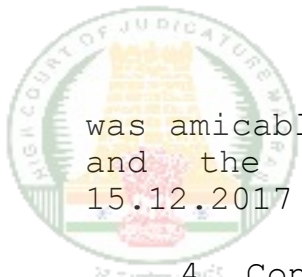
For Petitioner	: Mr.Veera Kathiravan, Senior counsel for
	M/s. D.Farjana Ghoushia
For Respondent	: Mr.R.Babu Jaganath

O R D E R

The Criminal Revision Petition has been filed against the order passed by the VI Additional District and Sessions Judge, Madurai in Crl.M.P.No.271 of 2016 in Crl.A.No.15 of 2016 dated 19.10.2016.

2. The learned counsel for the petitioner submits that the petitioner was convicted for the alleged offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo one year simple imprisonment and to pay a fine of Rs.10,00,000/- by the Trial Court. Aggrieved against the same, the petitioner has filed an appeal in Crl.A.No.15 of 2016 before the VI Additional District Judge, Madurai and the same is pending. During the pendency of the appeal, the petitioner has filed a petition in Crl.M.P.No.271 of 2016 seeking examination of the witnesses and the same was dismissed by the learned VI Additional District Judge, Madurai, on 19.10.2016. Against which, the present Criminal Revision Petition has been filed before this Court.

3. The petitioner and the respondent are the Court staff and the advocate and the matter was mediated by me in the chamber and it



was amicably settled between the parties viz., the petitioner herein and the respondent/complainant and a Compromise Memo dated 15.12.2017 is also filed before this Court.

4. Considering the submissions made by the learned counsel for the petitioner as well as the learned counsel for the respondent and also considering the compromise memo filed by the petitioner, this Court is of the view that nothing survives for adjudication in the Criminal Revision Petition. Accordingly, the Criminal Revision Petition is closed and the Compromise Memo dated 15.12.2017 shall form part of the order. The parties are directed to proceed strictly as per the terms and conditions of the compromise memo. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the copy of Compromise Memo

To

1. The VI Additional District and Sessions Judge,
Madurai.
2. The Judicial Magistrate (FTC Court No.1)
Magistrate Level,
Madurai.

Copy to:

The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai(2 Copies)

+1CC to M/s. D.Farjana Ghousia, Advocate, SR.No. 93110

Crl.R.C.(MD).No.870 of 2016
15.12.2017

akv

AM/MR/SAR 2/21.02.2018/2P/6C