

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 24.11.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

Crl.A.No.679 of 2005

1.Manivannan

.. Appellant

Vs

P.R.K.Krishnaiya (died)

1.K.Ashokan

2.K.Ramesh

3.K.Raja

4.J.Thilaka

5.A.R.Savithri

6.G.R.Anusuya

7.J.Shanthi

.. Respondents

(R-1 to R7 impleaded as per order of
this Court dated 24.11.2018
in Crl.M.P.No.3489 of 2018)

Prayer:-

This Criminal Appeal is filed under Section 374 of Cr.P.C., against the Judgment of conviction and sentence made in C.C.No.94 of 2002, on the file of the Judicial Magistrate No.1, Chidambaram, dated 04.02.2004.

For Appellant : Mr.P.R.Thiruneelakandan

For Respondents : Mr.G.Santhosh Kumar
for R1, R2, R3, R6 & R7

JUDGEMENT

The appellant is an accused in C.C.No.94 of 2002 in a private complaint filed by the deceased first respondent, viz., K.R.Krishniyar. It is represented by the learned counsel for the appellant and the learned counsel for the respondents that the dispute between the parties have been amicably settled by way of a deed of compromise dated 11.11.2018.

2. The terms of compromise is recorded hereunder:-

"1.The 1st party hereby accepted and acknowledged that the amount of Rs.5,00,000/- (Rupees Five Lakhs only) paid by the second party to the 1st parties father Krishnaier as full and final settlement in respect of the issue in C.C.No.94 of 2002 and the 1st parties

have no further claim against the 2nd party.

2. The 1st party have agreed to set aside the order dated 04.02.2004 made in C.C.No.94 of 2002 as fully settled.

3.The 2nd party have no objection to allow the criminal appeal No.679 of 2005 pending before the Madras High Court in terms of this compromise deed.

4.The deed of compromise entered between the parties to this deed on 11.11.2018 in the presence of the witnesses."

3. The learned counsel on either side would further submit that in view of the fact that a compromise has been reached between the parties, Criminal Revision Petition No.561 of 2004 for enhancement of sentence was dismissed as withdrawn.

4. In the light of the above facts, this Court allows this Criminal Appeal. Accordingly, the offence under Section 138 of the Negotiable Instrument Act shall stand compounded. The appellant shall stand acquitted in the case.

Sd/-

Assistant Registrar(CS iv)

//True Copy//

Sub Assistant Registrar

r n s

To

1. The Judicial Magistrate No.1,
Chidambaram.

+1cc to Mr. G.Santhosh Kumar, Advocate SR.No. 80856

CrI.A.No.679 of 2005

A.SK(04/03/2019)

WEB COPY