

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2018

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.Nos.759 and 990 of 2017

and

Crl.M.P.Nos.9336, 9337 and 9352 of 2017

G.Sidharthan
S/o.K.Ganesan

... Petitioner in both revisions/
Appellant/Accused

Vs.

T.Ravi
S/o.P.Tangaraj

... Respondent in Crl.R.C.No.759/17/
Respondent/Complainant

V.Thangavel
S/o.Vellai Pandiyan

... Respondent in Crl.R.C.No.990/17/
Respondent/Complainant

Prayer:

Crl.R.C.No.759 of 2017

Criminal Revision Case filed under Section 397 and 401 Cr.P.C. against the judgment of learned XVI Additional Sessions Judge, Chennai, passed in C.A.No.250 of 2016 on 05.04.2017 confirming the judgment of learned Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai, passed in C.C.No.6568 of 2014 on 09.09.2016.

Crl.R.C.No.990 of 2017

Criminal Revision Case filed under Section 397 and 401 Cr.P.C. against the judgment of learned XIX Additional Sessions Judge, Chennai, passed in C.A.No.281 of 2016 on 25.04.2017 confirming the judgment of learned Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai, passed in C.C.No.6570 of 2014 on 22.10.2016.

For Petitioner : Mr.S.Arivazhagan
(in both revisions)

For Respondent : Mr.M.Abdul Razack
(in both revisions)

C O M M O N O R D E R

These revisions are preferred against concurrent judgments of Courts below convicting petitioner for offence under Section 138 of the Negotiable Instruments Act and sentencing him to 6 months S.I. and directing him to pay the cheque amount as compensation to the complainants in each case.

2. Learned counsel for petitioner submitted that the matters have been listed before the Tamil Nadu Mediation and Conciliation Centre attached to this Court towards arriving at a possibility of settlement and the matters stand compromised between parties. Learned counsel further submitted that petitioner undertook to pay the entire cheque amount (in each case). Petitioner already deposited sums of Rs.35,000/- and Rs.30,000/- to the credit of C.C.No.6568 of 2014 and C.C.No.6570 of 2014 on the file of Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai. Petitioner undertook to pay the balance sums of Rs.3,15,000/- and 2,70,000/- by way of monthly installment of Rs.10,000/- (in each case). Joint Memos of Compromise have also been filed to such effect.

3. Learned counsel for respondents affirms the submission of learned counsel for petitioner viz., that the dispute stands settled between de facto complainants and petitioner.

In view of the Joint Memos of Compromise filed to compound the offence signed by parties as also their respective counsel, this Court is inclined to allow these revisions. Accordingly, the Criminal Revision Cases shall stand allowed. The offence under section 138 of the Negotiable Instrument Act shall stand compounded. Petitioner shall stand acquitted in both cases. Fine amount, if any, paid by petitioner shall be refunded to him. Bail Bonds, if any, executed shall stand cancelled. Joint Memos of Compromise dated 11.12.2017 filed to compound the offence shall form part of records. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS VI)

//True copy//

Sub Assistant Registrar

gm

To

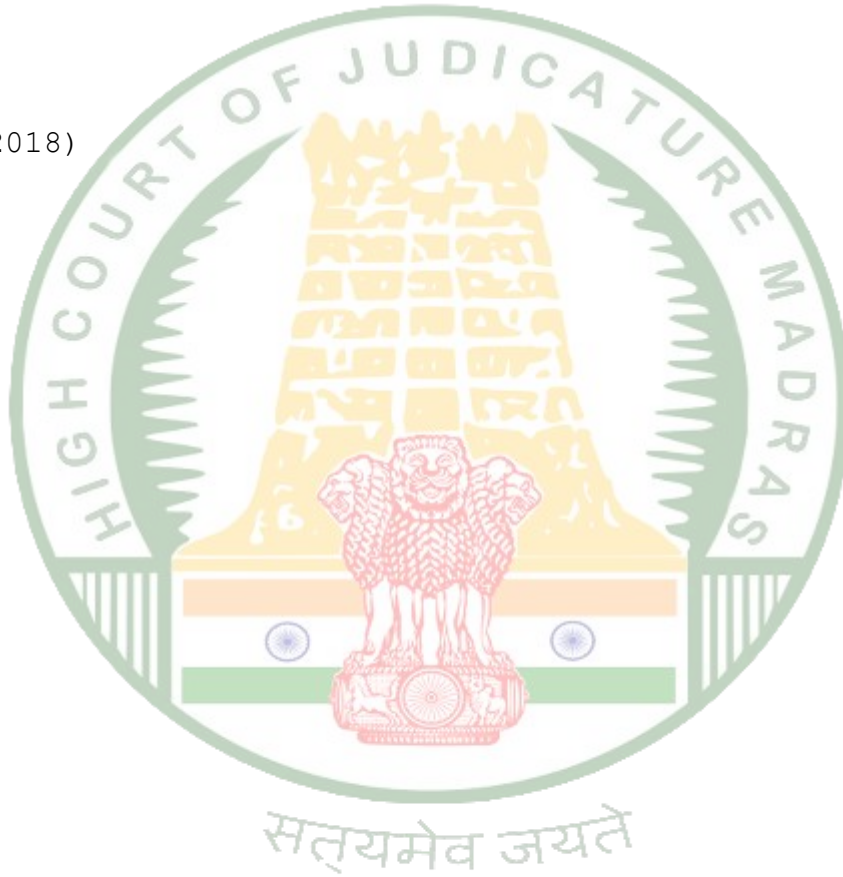
1.The XVI Additional Sessions Judge,
Chennai.

2.The XIX Additional Sessions Judge,
Chennai.

2.The Metropolitan Magistrate,
Fast Track Court III,
Saidapet, Chennai.

Cr1.R.C.Nos.759 and 990 of 2017

VGI (CO)
GN(08/02/2018)



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