

CRL.R.C.No.200/2011

P.Suresh Kumar Petitioner/Accused, aged 39 years, son of Periyasamy , was directed to the recorded on bail vide order of this Court dated 11/02/2011 made in MP.No.1 of 2011 in CRL.R.C.No.200 of 2011.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2018

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.R.C.No.200 of 2011

P.Suresh Kumar

... Petitioner /Appellant/Accused

.Vs.

E.Selladurai

... Respondent/Respondent/ Complainant

Criminal Revision case filed under Section 397 & 401 of Cr.P.C. to set aside the order dated 03.12.2010 made in C.A.No.136/2010 on the file of Additional District and Sessions Judge, Fast Track Court II, Salem confirming the order dated 05.08.2010 in S.T.C.No.1558/2006 on the file of Judicial Magistrate II, Athur Salem.

For Petitioner : Mr.R.Rajarajan

For Respondent : Mr.S.Ambigapathi

WEB COPY
O R D E R

This Criminal Revision has been filed against the order passed in C.A.No.136/2010 dated 03.12.2010, by the Additional District and Sessions Court, F.T.C.No.II, Salem confirming the order of conviction and sentence passed in S.T.C.No.1558/2006 for an offence under Section 138 of the Negotiable Instruments Act.

2. When the Criminal Revision was taken up for final hearing, a Joint Memo has been filed on behalf of the petitioner and the respondent, wherein it is stated as follows:

"2. The petitioner and the respondent states that they have jointly resolved to settled the dispute and compound the case. Accordingly, the respondent agreed to received the sum of Rs.1,40,000/- [Rupees One Lakh forty thousand Only] from the petitioner in full quit and agreed for compromise and compound the offence under S.138 of the Negotiable Instruments Act, 1882 in the complaint filed in STC No.1558/2006.

3. Accordingly, the petitioner paid and the respondent accepted and received the aforesaid sum of Rs.1,40,000/- [Rupees One Lakh forty thousand Only]. In consideration of the same, the respondent agreed for compromise and compound the offence under S.138 of the Negotiable Instruments Act, 1882 in the complaint filed in STC.No.1558/2006. The respondent also undertakes and agreed not to make any further claim in that regard".

3. The Joint Memo has been signed by both the parties and their respective counsel.

4. Taking into consideration, the Joint Memo filed by the parties compromising among themselves, this Court after duly taking into consideration, the provisions of Section 147 of the Negotiable Instruments Act, compounds the offence, and accordingly, the order of conviction and sentence passed by the Trial Court and confirmed by the Appellate Court is hereby set aside.

5. This Criminal Revision is allowed in terms of the Memo of Compromise.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

KP

To

1.The Additional District and Sessions Judge,
Fast Track Court II, Salem.

2. The Judicial Magistrate II,
Athur, Salem.

+lcc to Mr.R.Raja Rajan, Advocate, S.R.No.43943

Cr1.R.C.No.200 of 2011

GJII(CO)
GSP(24/07/2018)



WEB COPY