

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2018

CORAM

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.RC.No.1308/2016 & Crl.MP.Nos.11793 to 11795/2016

P.Arunachalam

..

Petitioner

Vs.

P.Radhakrishnan

..

Respondent

Criminal Revision filed under section 397 and 401 of the Code of Criminal Procedure against the judgment passed in CA.No.68/2015 dated 01.04.2016 by the learned Principal District and Sessions Judge, Krishnagiri confirming the judgment of conviction and sentence u/s.138 of NI Act, passed in STC.No.1/2015 dated 05.10.2015 by the learned Judicial Magistrate, Fast Track Court, Hosur and to set aside the same.

For Petitioner : Mr.K.V.Sridharan
For Respondent : Mr.K.Thiruvengadam

ORDER

The revision challenges the judgment dated 01.04.2016 in CA.No.68/2015 by the learned Principal District and Sessions Judge, Krishnagiri, confirming the judgment passed in STC.No.1/2015 on the file of Judicial Magistrate, Fast Track Court, Hosur for offence u/s.138 of the Negotiable Instruments Act.

2 Presently, affidavits of the petitioner / accused and the respondent / complainant informs of a settlement of the dispute. The said affidavits are taken on file and recorded. Accordingly, in keeping section 147 of Negotiable Instruments Act, the offence shall stand compounded and the petitioner / accused is acquitted of all charges.

3 The criminal revision stands allowed and the impugned judgment in STC.No.1/2015 dated 05.10.2015 passed by the learned Judicial Magistrate, Fast Track Court, Hosur, is hereby set aside. Consequently, the connected miscellaneous petitions are closed.

4 It will now be open to the complainant to effect withdrawal of the sum of Rs.4,12,500/- [Rupees Four Lakhs Twelve Thousand and Five Hundred only] lying to the credit of STC.No.1/2015 on the file of the Judicial Magistrate, Fast Track Court, Hosur, upon due application. While considering such application for withdrawal of the money, it will not be necessary for the Court below to issue notice to the petitioner/accused.

Sd/-
Assistant Registrar (CS IV)

//True copy//

Sub Assistant Registrar

AP

To

- 1.The Judicial Magistrate
Fast Track Court, Hosur.
- 2.The Principal District
and Sessions Judge, Krishnagiri.
3. The Public Prosecutor,
High Court, Madras.
- 4.The Section Officer,
Criminal section,
High Court, Madras. (2 Copies)

+2cc to Mr.K.V.Sridharan, Advocate SR.No.2462

Cr1.RC.No.1308/2016

RJ (CO)
GN (01/02/2018)

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