



BAIL SLIP

The Appellant/Accused was directed to be released on bail as per the order of this Court dated 20.4.2018 made in CrI MP(MD) No.2295/2018 in CrI RC(MD)No.167/2018 on the file of the Madurai Bench of Madras High Court, Madurai.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.10.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.R.C.(MD)No.167 of 2018
and
CrI.M.P.(MD).No.2275 of 2018

S.Muthumari .. Petitioner / Appellant/Accused

Vs.

R. Sivasankaran .. Respondent/ Respondent
Complainant

Prayer: Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C., to call for the records pertaining to Judgment passed by the learned Additional District and Sessions Judge, Srivilliputhur dated 16.02.2018 in C.A.No.34 of 2016 confirming the judgment of the learned Judicial Magistrate, Aruppukottai in C.C.No.187 of 2013 dated 30.06.2015 and set aside the same.

For Petitioner : Mr.G.Karuppasamy Pandian
For Respondent : Mr.T.Lajapathy Roy

O R D E R

This revision petition is directed against the concurrent findings of the Courts below holding the revision petitioner guilty of offence under Section 138 of the Negotiable Instrument Act.

2. The revision petitioner was held guilty for issuing cheque of Rs.11,00,000/- (Rupees Eleven lakhs only) without sufficient funds. Hence, the revision petitioner was sentenced to undergo six months Simple Imprisonment and to pay the cheque amount of Rs.11,00,000/- as compensation. Aggrieved by the said judgment passed by the trial Court confirmed by the Appellate Court, the present Revision petition has been preferred.

3. Pending revision petition, parties have entered into compromise and a joint memo has been filed. From the joint memo, this Court finds that the revision petitioner has paid the cheque amount of Rs.11,00,000/- through two Demand Draft of Rs.5,50,000/- each drawn in favour of the complainant/respondent



Sivasankaran, since the parties have compromised and the offence got compounded.

4. In the light of the above fact, this Criminal Revision Petition is Allowed, as parties entered into compromise and offence compounded as per Section 147 of the Negotiable Instruments Act.

5. It is represented by the revision petitioner that as a pre-condition for suspension of sentence, the revision petitioner was requested to deposit Rs.5,00,000/- to the credit of C.C.No.187 of 2013 on the file of the learned Judicial Magistrate, Aruppukottai. If any such money is deposited, the trial Court shall permit the revision petitioner/accused to withdraw the same.

6. In view of the compromise entered between the parties, the entire cheque amount has been paid to the respondent by way of two demand drafts. Hence, this Criminal Revision Petition is closed. Consequently, connected CrI.M.P.(MD).No.2275 of 2018 is closed.

Sd/

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-IV)

To:

- 1) The Additional District
and Sessions Judge,
Srivilliputhur.
- 2) The Judicial Magistrate,
Aruppukottai.

+1cc to Mr.T.LAJAPATHI ROY, Advocate, SR.No.92626

+4cc to Mr.G.KARUPPASAMY PANDIAN, Advocate, SR.No. 92106

Order made in
CrI.R.C.(MD)No.167 of 2018
26.10.2018

STS

KK/SV/SAR-4/23.11.2018/2P-8C