

**BAIL SLIP**

A.Murugan, S/o.Arumugam, male is released on bail vide the order of this Court, dated 12.03.2018 made in CrI.MP(MD)No.871/2018 in CrI.R.C(MD)No.72 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.R.C(MD)No.72 of 2018

A.Murugan

.. Petitioner/Appellant/Accused

Vs.

Ganesan

.. Respondent/Respondent/Complainant

PRAYER: Criminal Revision Case is filed under Section 397 r/w. 401 of the Code of Criminal Procedure, to call for the original records in C.A.No.24 of 2015 on the file of the learned Fast Track Mahila Court, Dindigul relating to its judgment dated 23.11.2017, confirming the conviction and sentence imposed by the learned Judicial Magistrate No.II, Dindigul in C.C.No.123 of 2012 dated 15.05.2015 and set aside the same as illegal and acquit the petitioner/accused.

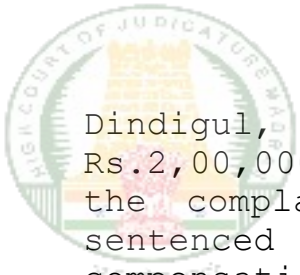
For Petitioner : Mr.A.Hariharan

For Respondent : Mr.H.Elango

ORDER

This revision has been filed against the judgment dated 23.11.2017, made in C.A.No.24 of 2015 on the file of the learned Fast Track Mahila Court, Dindigul, confirming the conviction and sentence imposed by the learned Judicial Magistrate No.II, Dindigul in C.C.No.123 of 2012 dated 15.05.2015.

2. The parties to the proceedings are the complainant and the accused before the learned Judicial Magistrate No.II,



Dindigul, in 138 of NI Act proceedings. The cheque amount is Rs.2,00,000/- which got bounced on presentation made to filing of the complaint. Both the Courts found the accused guilty and sentenced him to undergo six months Rigorous Imprisonment and compensation of Rs.2,00,000/-.

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3. This revision petitioner filed an application to grant exemption from surrendering along with the revision petition. This Court has directed him to deposit Rs.2,00,000/- being the cheque amount to the credit of C.C.No.123 of 2012 on the file of the learned Judicial Magistrate No.II, Dindigul on or before 22.02.2018. This Court has also take a note of the fact that the revision petitioner had already deposited Rs.25,000/- to the credit of C.C.No.123 of 2012 pursuant to the order passed by the First Appellate Court. Thus as of now Rs.2,25,000/- has been deposited by the accused in the credit of C.C.No.123 of 2012 on the file of the learned Judicial Magistrate No.II, Dindigul.

4. At this juncture good sense are prevailed upon them and they have entered into compromise to the effect that the complainant Ganesan shall withdraw Rs.2,00,000/- deposited in the CC account and Rs.25,000/- shall be withdrawn by the accused. A joint memo of compromise has also been filed duly signed by both the parties and their respective counsels. In view of the compromise memo, the offence is compounded and the complainant Ganesan is permitted to withdraw Rs.2,00,000/- which stand in the account of C.C.No.123 of 2012. The accused-Murugan is permitted to withdraw the balance Rs.25,000/- which stand in the account of C.C.No.123 of 2012.

5. In view of the compounding of offence, the revision petitioner/accused stand acquitted of the charge imposed on him under Section 138 of the Negotiable Instruments Act, 1881. The concurrent findings of the Courts below are hereby set aside.

6. Accordingly, this Criminal Revision Case is allowed. The memo of compromise shall form a part of this order.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-)

Encl.: Xerox copy of Compromise Memo



To

1. The Judicial Magistrate No.II,
Dindigul.

2. The Chief Judicial Magistrate, Dindigul.

3. The Judge, Fast Track Mahila Court, Dindigul.

4. The District & Sessions Judge,
Fast Track Mahila Court, Dindigul.

5. The Record Keeper,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 2 CC TO Mr.A.HARIHARAN, ADVOCATE IN SR No. 89820

+ 1 CC TO Mr.H.ILANGO, ADVOCATE IN SR No. 90373

PJL

TE/PM/SAR-4 : 01/11/2018 : 3P/10C

ORDER MADE IN
Crl.R.C(MD)No.72 of 2018
10.10.2018