



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.09.2018
CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WEB COPY

Crl.R.C(MD)No.512 of 2018
and Crl.M.P.(MD)No.7046 & 7047 of 2018

Kumar @ Rathinakumar : Petitioner/Appellant/Accused

Vs.

Venugopal : Respondent/Respondent/
Complainant

PRAYER: Revision filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to call for the records and set aside the impugned Judgment dated 29.06.2016 made in C.A.No.112 of 2014 on the file of the III Additional District Judge, Trichy confirming the judgment passed by the learned Judicial Magistrate No.V, Trichy in S.T.C.No.763 of 2007 by allowing the revision petition.

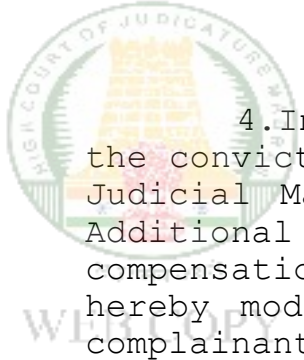
For Petitioner : Mr.B.Jameel Arasu
For Respondent : No Appearance

ORDER

This Criminal Revision case has been filed to set aside the impugned judgment dated 29.06.2016 passed in C.A.No.112 of 2014 by the III Additional District Judge, Trichy confirming the judgment passed by the learned Judicial Magistrate No.V, Trichy in S.T.C.No.763 of 2007.

2.When this matter came up for admission, the learned counsel appearing for the petitioner submitted that due to dishonouring a cheque for a sum of Rs.4 lakhs, the petitioner was found guilty of offence under Section 138 N.I. Act. In the interregnum, a compromise has been arrived between the parties. The offence is a compoundable one. In view of the same, matter taken up for consideration.

3.Both the complainant as well as the accused are present in person before this Court. A compromise memo signed by both the parties in the presence of their counsels is filed. From the compromise memo, it is seen that a sum of Rs.3,25,000/- has been received by the respondent herein on 15.08.2018. The complainant submitted that he has received a sum of Rs.3,25,000/- by way of a Demand Draft and cash of Rs.25,000/-.



4. In view of the settlement arrived at between the parties, the conviction of one year simple imprisonment passed by the learned Judicial Magistrate No.V, Trichy and confirmed by the learned III Additional District Judge, Trichy, alone is hereby set aside. The compensation amount of Rs.4,00,000/-, awarded by the Court below, is hereby modified as Rs.3,50,000/-, which has been received by the complainant under the compromise memo.

5. Accordingly, the Criminal Revision case is allowed, with the above modification. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (Cr1.side)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The III Additional District Judge,
Trichy.

2. The Judicial Magistrate No.V,
Trichy.

+1CC to Mr.B.Jameel Arasu, Advocate, SR.No.82250

Cr1.R.C (MD) No.512 of 2018
04.09.2018

GNS
ES/SV/SAR 2/15.10.2018/2P/4C