

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2019

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.RC.No.789 of 2018
and
Crl.MP.No.1573 of 2019

D.Anitha ..Petitioner / Accused
Vs.
Ganthimathi ...Respondent/Complainant

Criminal Revision Case filed under Section 397 and 401 Criminal Procedure Code to set aside the judgment in Crl.A.No.29 of 2018 dated 26.04.2018 on the file of the First Additional District and Sessions Court, Erode in confirming the judgment in S.T.C.No.297 of 2017 dated 02.01.2018 on the file of the Judicial Magistrate Court (Fast Track Court No.I), Erode.

For Petitioner : Mr.I.C.Vasudevan
For Respondent : Mr.R.Nalliyappan

O R D E R

During the pendency of the revision, the parties have filed a compound petition. The learned counsel for the petitioner / defacto complainant in the compound petition would submit that subsequent to the trial Court's conviction and confirmation by the appellate Court, the parties have compromised the matter due to the intervention of the well-wisher, the matter has been settled out of Court and that thereby, the petition for compound has been filed.

2. The revision petitioner / accused is present before this Court.

3. The learned counsel for the respondent / complainant would submit that the respondent / complainant is unable to appear before this Court due to ill health. Further, he would submit that he has been instructed that the matter has been settled.

4. Accordingly, the Compound petition and the Revision petition are allowed and the offence under Section 138 of the Negotiable Instruments Act, 1881 is compounded and the conviction and sentence impugned in S.T.C.No.297 of 2017 by the Judicial Magistrate Court, Fast Track Court No.I, Erode

dated 02.01.2018 and confirmed by the First Additional District and Sessions Court, Erode in Crl.A.No.29 of 2018 dated 26.04.2018 are set aside and the petitioner is acquitted of the case. Consequent to the order, the bail bonds stands cancelled and the respondent/complainant is permitted to withdraw the amount of Rs.70,000/- deposited to the credit of STC.No.297 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court, Erode.

5. However, the revision petitioner shall pay Rs.5,000/- to the Taluk Legal Service Authority, Erode, within four weeks from the date of receipt of a copy of this order.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The First Additional District and Sessions Judge
Erode.
2. Do Thro The Principal Sessions Judge, Erode
3. The Judicial Magistrate Court,
Fast Track Court No.I, Erode.
4. Do Thro The Chief Judicial Magistrate, Erode
5. The Secretary
Taluk Legal Service Authority
Erode.

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SP(12/11/2019)