

BAIL SLIP

The Accused namely Gopalakrishnan, S/o.Krishnan, the Petitioner/Accused was directed to be released on bail as per the Order of this Court dated 07.03.2014 in CrI.M.P.No.1 of 2014 in CrI.R.C No.282 of 2014 on the file of this Court.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2019

CORAM :

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CrI R.C. No.282 of 2014

Gopalakrishnan ... Revision Petitioner/Appellant/Accused

Vs.

R.Krishnaveni ...Respondent/Respondent/Complainant

Prayer: Criminal Revision Case filed under Section 397 r/w. 401 Cr.P.C., to set aside the judgment passed in C.A.No.294 of 2012 on the file of III Additional District and Sessions Judge, Coimbatore dated 19.02.2014, confirming the judgment passed in C.C.No.432 of 2011 on the file of the Judicial Magistrate, Fast Track Court at Magistrate Level - II, Coimbatore dated 21.09.2012.

For Petitioner : Mr.C.Veerarahavan

O R D E R

This Criminal Revision Case has been filed to set aside the judgment passed in C.A.No.294 of 2012 on the file of the III Additional District and Sessions Judge, Coimbatore dated 19.02.2014, confirming the judgment passed in C.C.No.432 of 2011 on the file of the Judicial Magistrate, Fast Track Court at Magistrate Level - II, Coimbatore, dated 21.09.2012.

2. For the sake of convenience, the petitioner and the respondent will be referred to as accused and complainant, respectively.

3. The complainant initiated a prosecution in C.C.No.432 of 2011 (STC.No.126 of 2008 - JM.No.7 of CBE) before the Judicial Magistrate, Fast Track Court at Magistrate Level - II, Coimbatore, under Section 138 of the Negotiable Instruments Act,

1881, against the accused, in which the accused was convicted on 21.09.2012 and was sentenced to undergo six months Simple Imprisonment and to pay a fine of Rs.4,000/- in default to undergo two months Simple Imprisonment.

4. Challenging the conviction and sentence, the accused filed C.A.No.294 of 2012 in the Court of Session, Coimbatore. During the pendency of the appeal, K.Ramakrishnan (Complainant) died and therefore, his wife R.Krishnaveni was impleaded as respondent vide order dated 18.11.2013 in CMP.No.46 of 2013 in C.A.No.294 of 2012. The appeal was heard by the III Additional District and Sessions Judge, Coimbatore. The appellate Court, by judgment dated 19.02.2014, confirmed the conviction of the accused, but, modified the sentence.

5. Challenging the orders passed by the two Courts below, the accused has filed the present Criminal Revision Case.

6. It is seen that during the pendency of the revision case, the accused has paid a sum of Rs.1,30,000/- to R.Krishnaveni on 16.06.2014 as full and final settlement. The compromise receipt dated 16.06.2014 in original is submitted.

7. In view of the above, the offence stands compounded under Section 147 of the Negotiable Instruments Act and the accused is acquitted of the charge under Section 138 of the Negotiable Instruments Act.

8. This Criminal Revision Case is allowed and the judgments passed by the two Courts below are set aside.

bri

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The III Additional District and Sessions Judge,
Coimbatore.
2. The Judicial Magistrate,
Fast Track Court at Magistrate Level - II,
Coimbatore.
- 3 The Chief Judicial Magistrate,
Coimbatore.

4. The Public Prosecutor,
High Court, Madras.

5. The Deputy Superintendent of Police,
Mylapore, Chennai.

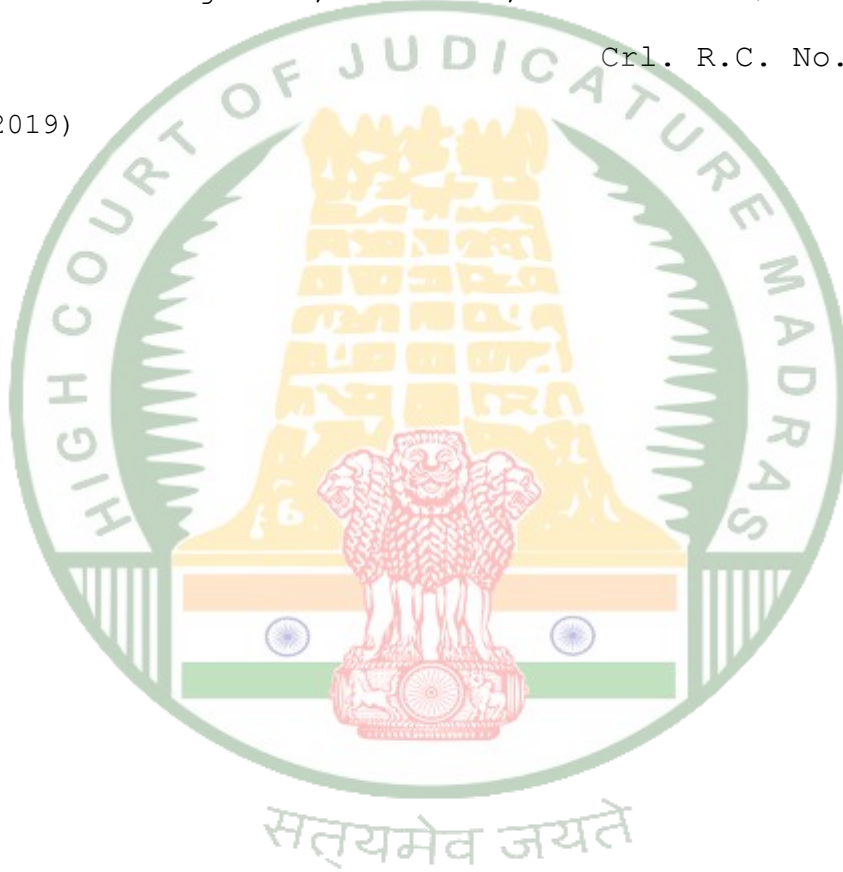
Copy to:-

The Section Officer,
Criminal Section,
High Court, Madras - 104.

+lcc to Mr.C.Veeraraghavan, Advocate, SR.No.77807/19

Crl. R.C. No.282 of 2014

Kak(30/10/2019)



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