

Bail Slip

The Appellant/Accused viz P. Vasudevan S/o. K. Palanisamy Male aged about 40 years, was directed to be released on bail as per order of this Court dated 16.09.2019 in CrI.M.P. 12100 & 12101/2019 in CrI.R.C.No.826 of 2019.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2019

CORAM:

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

CrI.RC.No.826 of 2019

and

CrI.M.P.No.15201 of 2019

P.Vasudevan ... Petitioner/Accused

Vs.

C.Duarisamy ... Respondent/Complainant

PRAYER: The Criminal Revision Petition has been filed, under Sections 397 & 401 of Cr.P.C, to call for records and set aside the conviction imposed in the judgment dated 18.07.2019 made in C.A.No. 40 of 2019 on the file of the Principal District and Sessions Judge, Erode confirming the conviction imposed the judgment dated 07.01.2019 made in S.T.C.No. 670 of 2017 on the file of the Judicial Magistrate Kodumudi, Erode.

For Petitioner : Mr.J.Jawahar

For Respondent : Mr.S.Swami Subramanian

J U D G M E N T

This revision has been filed against the order passed in C.A.No.40 of 2019, dated 18.07.2019, passed by the learned Principal District and Sessions Judge, Erode, confirming the conviction and sentence imposed by the learned District Munsif - cum - Judicial Magistrate, Kodumudi in S.T.C.No. 670 of 2017 finding petitioner/accused guilty for the offence under Section 138 of the Negotiable Instruments Act,1881 and convicting the petitioner to undergo one year simple imprisonment and further directing the petitioner to pay an amount of Rs.5,000/- as compensation under Section 357(3) of Cr.P.C.

2. During the pendency of the revision, the parties have entered into a compromise. Pursuant to which, they have amicably settled the matter and the petitioner has paid an amount of Rs.4,00,000/- as full and final settlement and the respondent/complainant has also accepted the same. Pursuant to the compromise and settlement, parties have filed a petition

under Section 320(6) of Cr.P.C read with Section 147 of the Negotiable Instruments Act, 1881, in CrI.M.P.No. 15201 of 2019 to accept the petition seeking the compound the offence in the above criminal revision case viz., CrI.R.C.No.826 of 2019.

3. The learned counsel appearing for the petitioner would submit that during the pendency of the appeal an amount of Rs.1,25,000/- has been deposited before the Trial Court and thereafter, the parties have entered into a compromise, whereby, the petitioner has paid an amount of Rs.4,00,000/- and that the petitioner has also agreed to give no objection for the respondent/complainant to withdrawn the amount of Rs.1,25,000/- deposited to the credit of S.T.C.No. 670 of 2017 before the District Munsif - cum - Judicial Magistrate, Kodumudi. In view of the above, Compounding Application viz., CrI.M.P.No.15201 of 2019 is allowed.

4. In the result, this Criminal Revision Petition stands allowed and conviction and sentence passed in STC No. 670 of 2017 by the District Munsif - cum - Judicial Magistrate, Kodumudi, dated 07.01.2019 and confirmed by the Principal District and Sessions Judge, in C.A.No. 40 of 2019, dated 18.07.2019, are set aside. Both the parties are directed to pay a sum of Rs.5,000/- each to the District Legal Services Authority and produce the receipt before the Trial Court at the time of withdrawing the deposit.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

dua

To

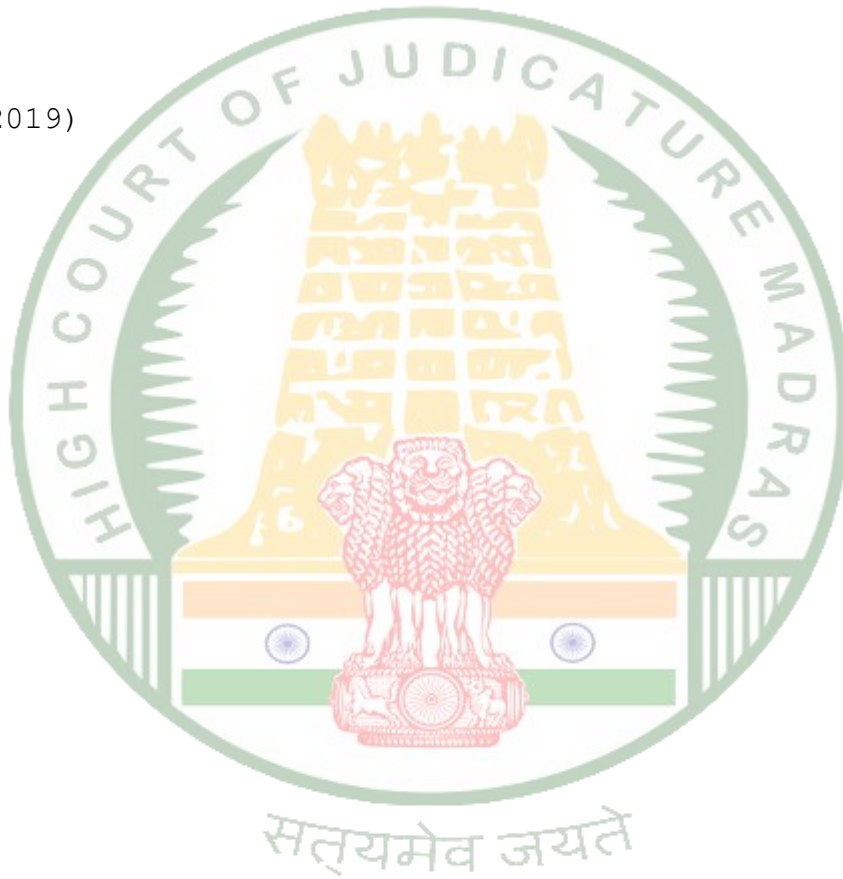
1. The Principal District and Sessions Judge,
Erode.
2. The Judicial Magistrate Kodumudi,
Erode.
- 3.The District Munsif cum Judicial Magistrate
Kodumudi, Erode District.
- 4.The Chief Judicial Magistrate
Erode.

5. The Public Prosecutor,
High Court, Madras.

+2 Ccs to Mr.J.Ranjith Kumar, Advocate sr 88788.

Crl.RC.No.826 of 2019
and
Crl.M.P.No.15201 of 2019

RP(CO)
SP(01/11/2019)



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