



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.08.2019
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl. A. (MD)No.402 of 2010

Meena .. Petitioner/Respondent/Complainant
Vs.

Palanivel .. Respondent/Appellant/Accused

Prayer : This Criminal Appeal is filed under Section 378 of Cr.P.C., to set aside the Judgment passed in C.A.No.6 of 2008 dated 12.06.2008 on the file of the I Additional District Judge, Thiruchirappalli, by setting aside the Judgment and sentence passed in C.C.No.54 of 2004, dated 14.12.2007 on the file of the learned Judicial Magistrate No.V, Thiruchirappalli.

For Appellant : Mr.V.Illanchezian

For Respondent : Mr.K.Raguraman,
Legal Aid Counsel.

JUDGMENT

The appellant herein is the complainant in C.C.No.54 of 2004. The said private complaint was filed against the respondent herein under Section 138 of the Negotiable Instruments Act.

2. Heard the learned counsel on either side.

3. The learned trial Magistrate found the respondent guilty and convicted him. But the appellate Court reversed the same and acquitted the respondent. Challenging the same, this Criminal appeal has been filed.

4. The cheque amount is for a sum of Rs.1,60,000/-. But then, the respondent expressed his difficulty that he will not be in a position to pay any sum beyond Rs.1 Lakh. This Court persuaded the appellant herein to give a closure to the issue, by accepting the sum offered by the accused. The appellant also accepted the suggestion of this Court.

5. Today when the matter was taken up for hearing, the respondent produced a Demand Draft dated 31.07.2019 drawn on the Karur Vysya Bank Ltd., for a sum of Rs.1 Lakh in favour of the appellant Meena. The original Demand Draft is handed over to the



learned counsel appearing for the appellant. Since the parties have agreed to close the issue, the Criminal Appeal stands disposed of by affirming the acquittal. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

pmu

To

1. The I Additional District Judge,
Thiruchirappalli.
2. The Judicial Magistrate No.V,
Thiruchirappalli.

Copy to:

The Section Officer,
Criminal Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.V.ILLANCHEZIAN, Advocate (SR-79720[F] dated
05/08/2019)

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