



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.A(MD)No.210 of 2013

WEB COPY

M/s.Anu Sanjeev Mini Investment,
Rep. by its Partner,
Kalayarasan,
S/o.Veerappan,
No.44, Kamatchiamman Kovil Street,
Karur-639 001.

... Appellant

Vs

S.Sampoornam

... Respondent

PRAYER: Criminal Appeal is filed under Section 378 of Cr.P.C., to call for the records relating to the order passed by the Principal Session Judge, Karur in C.A.No.56 of 2011, dated 16.04.2012 reversing the Judgment passed by the learned Judicial Magistrate No.I, Karur, in C.C.No.630 of 2009, dated 15.09.2011 and set aside the same as illegal.

For Appellant : Mr.B.Saravanan

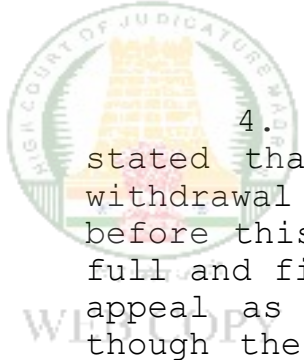
For Respondent : Mr.AN.Ramanathan

JUDGMENT

The complainant in C.C.No.630 of 2009 on the file of the Judicial Magistrate No.I, Karur is the appellant herein. It is a case arising out of Section 138 of the Negotiable Instruments Act.

2. The respondent herein had issued Ex.P4 cheque in favour of the appellant herein. The same was dishonoured on presentation. After complying with the statutory formalities, the private complaint in C.C.No.630 of 2009 came to be filed and it ended in conviction. However, the Appellate Court, vide Judgment dated 16.04.2012 in C.A.No.56 of 2011 set aside the Judgment of the trial Magistrate and allowed the appeal and acquitted the accused. Challenging the same, this appeal has been filed.

3. When the matter was taken up for hearing, the learned counsel on either side pointed out that all the outstanding issues between them have been amicably resolved. They have also filed a joint memorandum of compromise. The same is taken on record and it will form part and parcel of the order disposing of this appeal.



4. The learned counsel appearing for the appellant had also stated that he had already given a letter dated 30.08.2019 for withdrawal in Cr1.A.(MD)No.57 of 2015. The respondent undertakes before this Court that she would pay a sum of Rs.2,25,000/- towards full and final settlement of all the claims of the appellant in this appeal as well as in Cr1.A.(MD)No.57 of 2015. It is seen that though the cause-title in these appeals are apparently different, it is Thiru.Kalayarasan who is representing both these firms.

5. This appeal is disposed of by recording the joint memorandum of compromise entered into between the parties.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

rmi

Encl: Xerox copy of Compromise Memo.

To

1.The Principal Session Judge, Karur.

2.The Judicial Magistrate No.I, Karur.

Cr1.A(MD)No.210 of 2013
30.08.2019

VB(04.11.2019) 2P 3C