



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.R.C.(MD)No.214 of 2013

WEB COPY

S.Mahsar Rahuman

... Petitioner /Appellant/
Accused

Vs.

A.Ramakrishnan

... Respondent /Respondent/
Complainant

PRAYER: Criminal Revision case is filed under Section 397 r/w Section 401 of Cr.P.C., to call for the records from the lower Courts and to duly set aside the judgment passed by the II Additional Sessions Judge, Tuticorin, Tuticorin District in C.A.No.62 of 2012 dated 10.01.2013 in confirming and modifying the judgment passed by the judicial Magistrate (Fast Track Court), Kovilpatti, Tuticorin District in C.C.No.107 of 2012 dated 08.11.2012.

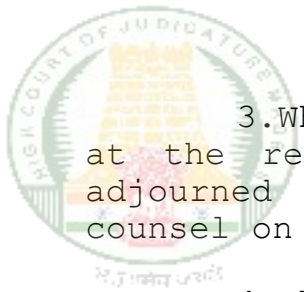
For Petitioner : Mr.K.Prashan
for M/s.S.T.Sasidharan Tamilkani

For Respondent : Mr.T.Antony Arul Raj

O R D E R

This revision petition is filed as against the judgment dated 10.01.2013 findings rendered by the II Additional Sessions Judge, Tuticorin, Tuticorin District in C.A.No.62 of 2012 confirming and modifying the judgment passed by the judicial Magistrate (Fast Track Court), Kovilpatti, Tuticorin District in C.C.No.107 of 2012 dated 08.11.2012.

2.When the matter was taken up for hearing on 13.09.2019, at the request of the learned counsel for the petitioner as well as the respondent, the matter was referred to Mediation and Conciliation Centre and this Court directed both the parties to appear before the Mediation and Conciliation Centre attached to this Bench on 16.09.2019 and it was listed on 25.09.2019 before this Court.



3. When the matter was listed before this Court on 25.09.2019, at the request of the learned counsel on either side, it was adjourned to 03.10.2019. Again, at the request of the learned counsel on either side, it was posted on 31.10.2019.

4. When the matter is taken up for hearing today, the learned counsel on either side would submit that the matter has been amicably settled among themselves before the Mediation and Conciliation Centre attached to this Bench and the settlement agreement is enclosed, which is extracted hereunder:

"a. The revision petitioner/accused has agreed to pay a sum of Rs.2,80,000/- (Two Lakhs Eighty Thousand only) as full settlement the respondent/complainant has also agreed to receive the said amount towards full settlement of the claim.

b. It is agreed that the sum of Rs.1,22,750/- (one Laksh Twenty Thousand Seven Hundred and Fifty only) deposited by the revision petitioner before the learned Judicial Magistrate (Fast Track Court), Kovilpatti, Tuticorin District in C.C.No.107 of 2012 shall be withdrawn by the respondent/complainant by filing necessary application before the learned Judicial Magistrate (Fast Track Court), Kovilpatti, Tuticorin District. The revision petitioner shall entered no objection in the above petition and cooperate for withdrawing the amount.

c. The balance amount of Rs.1,57,250/- shall be given by the revision petitioner by way of D.D. (Demand Draft) on or before 17.10.2019. On such payment the respondent/complainant shall cooperate for allowing the revision filed by the revision petitioner in Crl.R.C.No214 of 2013.

d. The respondent/complainant shall return the mortgaged deed and shall execute the register discharge receipt before the competent register office at the expenditure of the revision petitioner.

e. The respondent/complainant shall not make any further claim towards the loan amount convered under mortgage."

5. In view of the above agreement and the settlement arrived at between the parties, the conviction passed by the trial Court in C.C.No.107 of 2012 is confirmed, however, the sentence of imprisonment is modified to that of the fine amount of Rs.2,80,000/-. The respondent/complainant is at liberty to withdraw



the amount which has been deposited by the petitioner before the trial Court.

6.In fine, this Criminal Revision Case is disposed of.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

Vsg

To

- 1.The II Additional Sessions Judge,
Tuticorin, Tuticorin District.
- 2.The judicial Magistrate (Fast Track Court),
Kovilpatti, Tuticorin District.
- 3.The Section Officer,
Criminal Sectin Records,
Madurai Bench of Madras High Court,
Madurai.(2C)

CrI.R.C. (MD) No.214 of 2013
31.10.2019

KK/SAR/12.12.2019/3P-5C/