



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.R.C.(MD)No.781 of 2013

Senthil

.. Petitioner/Appellant/Accused

Vs.

G.Meenashisundaram

.. Respondent/Respondent/Complainant

Prayer : This Criminal Revision petition is filed under Sections 397 and 401 of Cr.P.C., to set aside the Judgment passed in C.A.No.21 of 2012, dated 05.08.2013 by the learned Principal Sessions Judge, Theni, confirming the Judgment passed in S.T.C.No.333 of 2011, dated 26.03.2012 by the learned Judicial Magistrate, Fast Track Court, Theni and allow this Criminal Revision.

For Petitioner : Mr.M.S.Sureshkumar

For Respondent : Mr.B.Jeyakumar

ORDER

The Revision petitioner was found guilty of the offence under Section 138 of the Negotiable Instruments Act in S.T.C. No.333 of 2011 on the file of the learned Judicial Magistrate, Fast Track Court(Magisterial Level), Theni, vide Judgment dated 26.03.2012. He was sentenced to 1 year Simple Imprisonment. He was also directed to pay a sum of Rs.10 Lakhs as compensation to the complainant. Default sentence of 5 months Simple Imprisonment was imposed. The same was confirmed in C.A. No.21 of 2012 on the file the learned Principal District and Sessions Judge, Theni, vide Judgment dated 05.08.2013. Challenging the same, this Criminal Revision has been filed.

2. When the matter was taken up for hearing, the learned counsel on either side submitted that while the conviction on the appellant can be confirmed and the sentence can be set aside and instead the appellant can be directed to pay a sum of Rs.5 Lakhs as compensation to the complainant. The Revision petitioner seeks six months time to pay the said amount to the complainant.

3. Taking note of the facts and circumstances obtaining in this case, the petitioner can be given six months time to pay the said amount. The petitioner shall deposit the sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of S.T.C.No.333 of 2011 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Theni, within a period of six months from the



date of receipt of a copy of this order. The learned counsel appearing for the respondent states that upon such receipt, quietus shall be given to the issue. In the event of failure on the part of the petitioner to do so, he will have to undergo default sentence of six months Simple Imprisonment.

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4. The Criminal Revision stands disposed of on these terms.
No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

pmu

To

1. The Principal Sessions Judge,
Theni.
2. The Judicial Magistrate,
Fast Track Court(Magisterial Level), Theni.
3. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.(2 COPIES)

+1CC TO MR.B.JEYAKUMAR, Advocate Sr. No.74333

+1CC TO MR.M.S.SURESH KUMAR, Advocate Sr. No. 74280

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KMV(CO)

TR (27.08.2019) 2P 7C