



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.04.2019

CORAM

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.814 of 2017
and
Crl.MP(MD)No.1171 of 2019

T.Jeyan : Revision Petitioner/
Appellant/Accused

Vs.

A.Vijayan : Respondent/Respondent/
Complainant

Prayer: Criminal Revision Petition has been filed under Section 397 r/w 401 of Criminal Procedure Code, against the judgment made in STC No.333 of 2010, dated 10.08.2012 on the file of the Judicial Magistrate, Padmanabhapuram, which was confirmed by the Mahila Fast Track Court, Nagercoil, in Crl.A.No.65 of 2012, dated 05.102017.

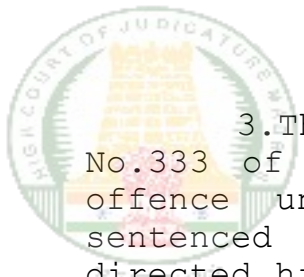
For Revision Petitioner : Mr.V.Sasikumar

For Respondent : Mr.M.Suri

J U D G M E N T

This criminal revision is directed against the judgment made in STC No.333 of 2010, dated 10.08.2012 on the file of the Judicial Magistrate, Padmanabhapuram, which was confirmed by the Mahila Fast Track Court, Nagercoil, made in Crl.A.No.65 of 2012, dated 05.102017.

2.The brief facts of the case is that the the accused borrowed a sum of Rs.5,00,000/- from the complainant and agreed to repay the same within a period of five months by two instalments and issued two posted-dated cheques, dated 15.06.2009 and 15.08.2009 and on presentation of the same, they were dishonoured as "Insufficient Funds." Hence, the complainant issued a notice calling upon the accused to pay the cheques amount and after receiving the notice, the accused neither sent any reply nor paid the cheques amount. hence, the case.



3. The trial court, by judgment, dated 10.08.2012 made in STC No.333 of 2010 convicted the revision petitioner/accused for the offence under Section 138 of Negotiable Instruments Act and sentenced him to undergo simple imprisonment for 10 months and directed him to pay a compensation of Rs.5,00,000/- to the de-facto complainant, in default to undergo six months simple imprisonment. Against the Judgment of the trial court, the revision petitioner/accused preferred C.A.No.65 of 2012 on the file of the Mahila Fast Track Court, Nagercoil and the learned Judge also confirmed the findings of the trial court. Aggrieved over the same, the revision petitioner/accused is before this court.

4. It is submitted by the learned counsel appearing on either side that now, the dispute between the parties has been settled amicably before the Mediation and Conciliation Centre, attached to this Bench, on 09.04.2019. The settlement agreement would run thus:-

"4. Several meetings were held and during the process of Mediation/Conciliation on 15.03.2019 and all the parties have with the assistance of the Mediator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrive at this settlement agreement in the presence of the mediators.

6. The following settlement has been arrived at between the parties:-

Petitioner Mr. Jeyan agreed to pay a sum of Rs.4,00,000/- (Rupees Four Lakhs only) by way of Demand Draft in the name of the respondent Mr. Vijayan by 28/03/2019 in full and final settlement of the Case.

The respondent has agreed to accept the said sum of Rs.4,00,000/- (Rupees Four Lakhs only) towards full and final settlement for production of D.D to the petitioner. Post to 28/03/2019.

5. Since the matter has been amicably settled between the parties before the Mediation and Conciliation Centre, attached to this Bench and further, a joint compromise memo has also been filed stating that the accused paid Rs.4,00,000/- by way of demand draft bearing No.933656, dated 27.03.2019, and the same was received by the de-facto complainant on 25.03.2019 through his counsel, no fruitful purpose will be achieved to proceed further in this matter.

<https://hcservices.ecourts.gov.in/hcservices/> In light of compromise entered into between the parties, this Criminal Revision is **disposed of**. The settlement agreement entered into between the parties before the Mediation and



Conciliation Centre, attached to this Bench shall form part of the order. Consequently, connected CrI.MP is closed.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS III)

ENCL: Xerox Copy of Joint Compromise Memo and
(Mediation and Conciliation Report)

To,

1.The Judicial Magistrate,
Padmanabhapuram.

2.The Mahila Fast Track Court,
Nagercoil.

+2 CC to M/s.V.SASI KUMAR, Advocate (SR-62566[F] dated 25/04/2019)

Judgment made in
CrI.R.C(MD)No.814 of 2017
25.04.2019

DS/ /SAR- (26.04.2019) 3P 5C