



BAIL SLIP

The Accused/Petitioner P.Anandagopal, S/o.Balaiya, Male was released on bail as per the order of this Hon'ble Court made in MP (MD) No.2 of 2014 in CRL RC(MD) No.205 of 2014.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.R.C.(MD)No.205 of 2014

P.Anandagopal ... Petitioner/Appellant/Accused

Vs.

M.Ganesan ... Respondent/Respondent/Complainant

PRAYER: Criminal Revision case is filed under Section 397 r/w Section 401 of Cr.P.C., to set aside the judgment passed on 30.10.2012 by the learned Principal Sessions Judge, Dindigul in Criminal Appeal No.35 of 2011 confirming the conviction and sentence imposed against the revision petitioner by the Judicial Magistrate No.1, Dindigul in C.C.No.602 of 2003 dated 15.07.2011 under Section 138 and 142 of the Negotiable Instrument Act.

For Petitioner : Mr.K.Sudalaiyandi

For Respondent : Mr.E.Somasundaram

O R D E R

This revision petition has been filed as against the judgment dated 30.10.2012 rendered by the learned Principal Sessions Judge, Dindigul, in Criminal Appeal No.35 of 2011 confirming the order passed by the learned Judicial Magistrate No.1, Dindigul in C.C.No.602 of 2003, dated 15.07.2011.

2.The learned Trial Judge by order dated 15.07.2011 found the petitioner guilty for the offence under Section 138 of Negotiable Instrument Act, convicted and sentenced him to undergo one year rigorous imprisonment with fine of Rs.5,000/-, in default to undergo three months simple imprisonment.

3.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner/accused as well as the learned counsel appearing for the respondent/complainant have submitted that the dispute between the parties has already been settled out of the



Court and the entire cheque amount of Rs.70,000/- (Rupees Seventy Thousand Only) has been paid by the petitioner/accused to the respondent/complainant. Further, joint compromise memo, dated 23.09.2019 signed by both the counsels has also been produced before this Court and the said compromise is extracted hereunder:

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"It is respectfully submit that in the pendency of the above said case in Crl.R.C.(MD). No.205 of 2014, the Revision petitioner herein and the respondent have amicably settle the issue out of the Court. The Revision Petitioner previously deposited a sum of Rs.30,000/- in view of the conditional order passed by this Court dated 21.03.2014 before the Trial Court. Subsequently, the petitioner directly handed over a sum of Rs.40,000/- by cash to the respondent. Thus the entire cheque amount of Rs.70,000/- has been paid to the respondent. In view of the same the dispute between the petitioner and the respondent is compromised and amicably settled. The respondent has no objection to set aside the conviction and sentence imposed against the revision petitioner.

It is therefore prayed that this Court may be pleased to accept this memo of compounding the offence and to set aside the conviction and sentence imposed by the Judicial Magistrate No.1, Dindigul passed in C.C.No.602 of 2003 dated 15.07.2011 which was upheld by the Principal Sessions Judge, Dindigul in C.A.No.35 of 2011 dated 30.10.2012 and thus render justice."

4.The said compromise is recorded.

5.Recording the said compromise, this criminal revision case is allowed by setting aside the conviction and sentence imposed on the petitioner by the learned Judicial Magistrate No.1, Dindigul, in C.C.No.602 of 2003 vide order dated 15.07.2011 as confirmed by the Principal Sessions Judge, Dindigul in C.A.No.35 of 2011, vide order dated 30.10.2012. Fine amount, if any, paid by the revision petitioner shall be refunded to him. Bail bonds, if any, executed by the revision petitioner shall stand cancelled.

Sd/-
Assistant Registrar (CS-III)

/TRUE COPY/

Sub Assistant Registrar



1.The Principal Sessions Judge,
Dindigul.

2.The Judicial Magistrate No.1,
Dindigul.

3.The Record Keeper,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.E.SOMASUNDARAM, Advocate (SR-88717[F] dated 24/09/2019
)

CrI.R.C. (MD) No.205 of 2014
23.09.2019

JM/25.10.2019/3P/6C