



BAIL SLIP

V.Ponraj, S/o.Velsamy, aged about 55 years Accused in Cr1.R.C 510 of 2014 and Thenmozhi, W/o.V.Ponraj aged about 45 years, Accused in Cr1.R.C 537 of 2014 were released on bail vide order of this Courts dated 13.01.2015 made in MP(MD)No.1 of 2014 in Cr1.R.C 510 of 2014 and dated 28.01.2015 made in MP(MD)No.1 of 2014 Cr1.R.C 537 of 2014.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 15.11.2019

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Cr1.R.C. (MD)Nos.510 & 537 of 2014

V.Ponraj .. Petitioner in Cr1.R.C. (MD)No.510/14/
Appellant/Accused

Thenmozhi .. Petitioner in Cr1.R.C. (MD)No.537/14
Appellant/Accused
Vs.

S.Ganesan .. Respondent in both petitions/
Respondent/complainant

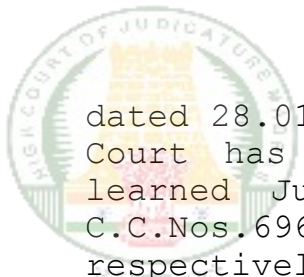
COMMON PRAYER: Criminal Revision Cases filed under Section 397 r/w 401 of the Criminal Procedure Code to call for the records in C.A.Nos.78 & 77 of 2013, on the file of the learned I Additional District Judge, Thoothukudi, dated 28.01.2014, confirming the orders passed by the Judicial Magistrate/Fast Track Court (Magistrerial Level), Thoothukudi in C.C.No.696 of 2012 on 12.09.2013 and C.C.No.649 of 2012 on 13.09.2013 respectively and set aside the same.

For Petitioner : Mr.Antony S.Prabahar

For Respondent : Mr.G.Anbu Saravanan
(In both petitions)

COMMON JUDGMENT

These Criminal Revision Cases are preferred as against the judgment of conviction and sentence passed by the learned I Additional District Judge, Thoothukudi, in C.A.Nos.78 & 77 of 2013,



dated 28.01.2014, respectively, in and by which, the first appellate Court has confirmed the conviction and sentence imposed by the learned Judicial Magistrate, Fast Track Court, Thoothukudi, in C.C.Nos.696 & 649 of 2012, dated 12.09.2013 & 13.09.2013, respectively.

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2. The revision petitioner in Cr1.R.C.(MD)No.510 of 2014, namely, Mr.V.Ponraj is the husband of the revision petitioner in Cr1.R.C.(MD)No.537 of 2014, namely, Mrs.Thenmozhi. The respondent in both the cases, namely, S.Ganesan has filed a complaint as against the revision petitioners before the learned Judicial Magistrate, Thoothukudi, in C.C.Nos.696 & 649 of 2012, respectively, for the commission of offence under Section 138 of the Negotiable Instruments Act. The learned Magistrate, in conclusion of the trial, has found the petitioners guilty, convicted and sentenced them to undergo simple imprisonment for one year and also passed an order of compensation under Section 357 Cr.P.C of Rs.5,00,000/-, being the Cheque amount, to the respondent / complainant.

3. Aggrieved over the same, the revision petitioners have preferred appeals before the Court of Sessions in C.A.Nos.78 & 77 of 2013, respectively and the same was taken up for hearing by the learned I Additional District Judge, Thoothukudi. The lower appellate Court, by order dated 28.01.2014, dismissed the appeals and confirmed the orders passed by the trial Court. As against the concurrent findings of the trial Court as well as lower appellate Court, the instant revision petitions were filed.

4. When the matters are taken up for hearing today, the learned Counsel for the petitioners submitted that at the intervention of the common friends, steps have been taken and the issue has been solved amicably and the petitioners have also paid the entire cheque amount to the respondent / complainant. In this regard, the learned Counsel has also filed two Joint Compromise Memos, dated 15.10.2019, signed by both the petitioners and the respondent, as well as their respective Counsel, for both the revision cases.

5. The revision petitioners as well as the respondent / complainant are present before this Court today. The respondent / complainant affirmed the submission made by the learned Counsel for the petitioners as well as the Joint Compromise Memo, dated 15.10.2019. The respondent / complainant further submitted that he received the entire Cheque amount and he is not interested in prosecuting the case any further. The identity of the respondent / complainant is verified through the Aadhar Card, produced by him.

6. In view of the subsequent developments taken place and in view of the joint compromise memo dated 15.10.2019, this Court, while affirming the conviction imposed by the Courts below, modifies the sentence as that of compensation of Rs.5,00,000/- alone, being



In fine, both the Criminal Revision Cases are disposed of.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar (CS)

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To

1.The I Additional District Judge,
Thoothukudi.

2.The Judicial Magistrate,
Fast Track Court, (Magistrerial Level),
Thoothukudi.

3.-do- Thro The Chief Judicial Magistrate, Thoothukudi.

4.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+2 CC to M/s.ANTONY S.PRABAHAR, Advocate (SR-98991,98992[F] dated
18/11/2019)

Cr1.R.C. (MD) Nos. 510 & 537 of 2014
15.11.2019

VB(16.12.2019) 3P 8C