



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 04.09.2019

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WEB COPY

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

CRL. R.C. (MD) NO. 251 OF 2018

AND

CRL. M.P. (MD) NO. 3368 OF 2018

Vellaikannu

... Petitioner/Appellant/Accused

- Vs -

Selvaraj

...Respondent/Respondent/Complainant

Criminal Revision Case filed u/s 397 r/w 401 of the Criminal Procedure Code against the judgment passed by the learned Sessions Judge, Trichirappalli in C.A. No.30 of 2008 dated 20/03/2018 by dismissing the appeal and confirming the order passed by the learned Judicial Magistrate, Manapparai in C.C.No.177/2006 dated 24.03.2017.

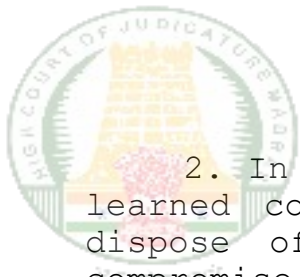
For Petitioner : Mr. M.Subash Babu

For Respondent : Mr. A.Karmegam

ORDER

During the pendency of the revision petition, it appears that both the parties have entered into a settlement and, accordingly, they have filed the joint memo of compromise, dated 19.8.19. The compromise arrived at between the parties, as stated in the memo, is extracted hereunder :-

"The petitioners state that he and the respondent are well known to them. During pendency of this revision, the petitioner's son namely Vairamani and the petitioner sister's daughter, namely Dhanapackiyam have approached the respondent and entered into mutual talk as per the terms and conditions the petitioner has to pay Rs.2,40,000/- on 01.07.2019 and the respondent has to give no objection to withdraw the deposit amount of Rs.60,000/- which was deposited by the petitioner before the Judicial Magistrate, Manapparai on 24.04.2017. Accordingly, on 01.07.2019 the petitioner paid Rs.2,40,000/- and the respondent have no objection to withdraw the deposit amount of Rs.60,000/- by the petitioner. Thereby they have amicably settled the issue out of court. Further the respondent have no objection to allow the revision petition and consequently acquit the petitioner."



2. In view of the above compromise reached between the parties, learned counsel appearing for the parties request this Court to dispose of the revision in terms of the above joint memo of compromise. Accordingly, recording the above joint memo of compromise, this revision petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

3. Learned counsel for the petitioner submits that at the time of preferring the appeal, the petitioner has deposited a sum of Rs.60,000/- and seeks return of the said deposit in terms of the memo of compromise for which the learned counsel for the respondent has no objection. Accordingly, the the trial court is directed to order refund the sum of Rs.60,000/- lying to the credit of C.C. No.177/06 on the file of the Judicial Magistrate, Manapparai, on the petitioner filing appropriate application in this regard.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1) The Principal Sessions Judge
Tiruchirappalli.

2) The Judicial Magistrate
Manapparai.

+1 CC to Mrs.SUBASHBABU, Advocate (SR-85398[F] dated 05/09/2019)

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