

**Bail Slip**

The Appellant/Accused namely S.Mohan, S/o.Sivarethinam, was directed to be released on bail as per order of this Court dated:30.06.2011 and made in MP(MD)No.1 of 2011 in CRL.RC(MD) No.482 of 2011 on the file of this Court.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.R.C.(MD)No.482 of 2011

S.Mohan

.. Petitioner/Appellant/
Accused

Vs.

1. M.Vijayan

.. Respondent/Respondent/
Complainant

2. The State of Tamilnadu,
Represented by Public Prosecutor,
Kanyakumari District,
Nagercoil.

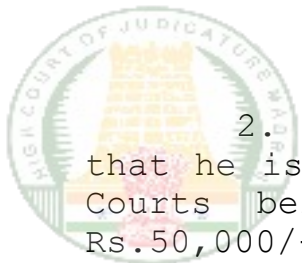
.. Respondent/Complainant

Prayer : This Criminal Revision petition is filed under Section 397 r/w 401 of Cr.P.C., to call for the records in C.A.No.30 of 2006, dated 12.04.2010 on the file of the learned Sessions Judge, Kanyakumari District at Nagercoil, contrary to the order of the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District in C.C.No.146 of 2005, dated 27.01.2006 and to set aside the same.

For Petitioner	: Mr.F.Deepak
For R-2	: M/s.S.Bharathi, Government Advocate (Cr1. Side).
For R-1	: No appearance.

ORDER

The petitioner was found guilty of the offence under Section 138 of the Negotiable Instruments Act by the Courts below. He was sentenced to one year Rigorous Imprisonment and he was also directed to pay a sum of Rs.60,000/- as compensation. Challenging the same, this Criminal Revision has been filed.



2. The learned counsel appearing for the petitioner states that he is not challenging the finding of guilt arrived at by the Courts below. Instead he would pay the cheque amount of Rs.50,000/- as compensation to the complainant within a period of three months from the date of receipt of a copy of this order.

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3. In view of the aforesaid submission made by the petitioner's counsel, the sentence imposed by the Courts below is set aside. Instead the petitioner is directed to deposit the cheque amount of Rs.50,000/- to the credit of C.C.No.146 of 2005 on the file of the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District, as compensation within a period of three months from the date of receipt of a copy of this order. This shall be disbursed to the complainant, thereafter. In the event of failure on the part of the petitioner to do so, the petitioner will have to undergo default sentence of six months Simple Imprisonment.

4. With this modification, the Criminal Revision petition stands partly allowed. No costs.

Sd/-

Assistant Registrar (A.S)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Sessions Judge,
Kanyakumari District at Nagercoil.

2. The Judicial Magistrate No.II,
Kuzhithurai, Kanyakumari District.

3.The Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.F.DEEPAK, Advocate SR-71326.

Cr1. R.C.(MD)No.482 of 2011

25.06.2019



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