

Bail Slip

That the Revision Petitioner/Accused namely S.Kanagaraj, S/o.Selvanayagam was directed to be released on bail vide order dated 11.04.2012 in MP(MD).No.1/2011 in Cr1.RC(MD)No.977/2011 on the file of the Madurai Bench of Madras High Court.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.R.C. (MD)No.977 of 2011
and
M.P. (MD)No.1 of 2012

S.Kanagaraj ... Petitioner
Vs.

P.Selva Boopathy ... Respondent

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for the records pertaining to judgment of learned Additional Sessions Judge cum Fast Track Court No.I, Thoothukudi dated 13.09.2011 in C.A.No.74 of 2010 confirming judgment of learned Additional District Munsif, Thoothukudi, in C.C.No.84 of 2007, dated 24.09.2010 and set aside the same.

For Petitioner : Mr.N.Dilip Kumar

For Respondent : R.Vijaykumar

O R D E R

The petitioner was found guilty of the offence under Section 138 of Negotiable Instruments Act in C.C.No.84 of 2007 on the file of the learned Additional District Munsif Court Cum Judicial Magistrate, Thoothukudi by judgment dated 24.09.2010. He was sentenced to two years simple imprisonment and directed to pay a sum of Rs.3,000/- as fine. Questioning the same, the petitioner filed C.A.No.74 of 2010 before the learned Additional Sessions Court, Fast Track Court No.I, Thoothukudi. The Appellate Court confirmed the conviction and sentence imposed by the Trial Court and dismissed the appeal vide judgment dated 13.09.2011. Challenging the same, this criminal revision case has been filed.



suggested to the learned counsel appearing for the complainant that by sending the revision petitioner to prison he would not gain anything because the Courts below have only imposed a fine of Rs.3000/- only. This Court called upon the complainant's counsel to prevail upon his client to compound the offence so that the complainant would get compensation. This advice given by this Court appears to have had impact on the complainant. The complainant therefore through his counsel expressed his willingness to compound the offence provided the accused pays the compensation by way of demand draft. Thereupon the accused today produced the demand draft bearing No,343928, dated 20.06.2019, drawn in the bank of Syndicate Bank, favouring the complainant/Selva Boopathy for a sum of Rs.85,000/-. Since the complainant's monetary claim has now been satisfied, this Court sets aside the judgments of the Courts below and disposes of this criminal revision case as having been compounded. As a result, the petitioner shall be deemed to have been acquitted. It is made clear that no disqualification whatsoever would attach in any manner to the petitioner. In other words, his service and official career will not be touched.

3.With this observation, the criminal revision case is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To:

1.The Additional Sessions Judge cum Fast Track Court No.I,
Thoothukudi .

2.The Additional District Munsif, Thoothukudi.

+1 CC to M/s.R.VIJAYAKUMAR, Advocate (SR-71984[F] dated 27/06/2019)
+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-72227[F] dated 28/06/2019)

Copy to:

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

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27.06.2019