



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.06.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

Cr1.R.C. (MD)No.572 of 2013

V.Ramasubramanian

... Petitioner

Vs.

R.Kathirvel

... Respondent

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to set aside the judgment passed in C.A.No.160 of 2008, on the file of the learned Additional District Sessions Judge, Fast Track Court No.I, Tirunelveli, dated 31.03.2011 in confirming the judgment in C.C.No.73 of 2005, on the file of the learned Judicial Magistrate No.IV, Tirunelveli, dated 06.11.2008.

For Petitioner : Mr.G.Thalaimutharasu

For Respondent : Mr.T.Selvan

O R D E R

The petitioner was found guilty of the offence under Section 138 of Negotiable Instruments Act by the Courts below and sentenced to imprisonment and also directed to pay compensation.

2.When the matter was taken up for hearing, the learned counsel appearing for the revision petitioner submitted that he would not challenge the conviction imposed on the petitioner but he wants some leniency to be shown in the matter of sentence alone. In this view of the matter, the sentence of imprisonment imposed on the petitioner is set aside. The petitioner is directed to pay the compensation amount of Rs.2,00,000/- to the respondent/complainant within a period of three months from the date of receipt of a copy of this order. He shall do so by depositing the said amount of Rs.2,00,000/- to the credit of C.C.No.73 of 2005, on the file of the learned Judicial Magistrate No.IV, Tirunelveli. The complainant is at liberty to withdraw the said amount because this amount represents the compensation payable to him. If the petitioner does not pay the said amount within a period of three months as indicated above, the sentence imposed by the First Appellate Court stands restored. The Trial Magistrate shall take steps to enforce this order. This Criminal Revision Case is partly allowed.

Sd/-

Assistant Registrar(AE)

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To:

- 1.The Additional District Sessions Court,
Fast Track Court No.I, Tirunelveli
- 2.The Judicial Magistrate No.IV,
Tirunelveli.
- 3.The Chief Judicial Magistrate, Tirunelveli.
- 4.The Superintendent, Central Prison,
Palayamkottai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to : The Record Keeper,
(Criminal Section (Records),
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.T.SELVAN, Advocate in SR-69574

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PK/10.07.2019 : 2P/9C