



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.R.C.(MD)No.796 of 2013

1. E.P.Ramasamy

2. The Principal E.P.Ramasamy,
S/o.Palanimuthu Naicker,
Indian Matriculation School,
Tittagudi,
Cuddalore District.

.. Petitioners/Appellants/
Accused

Vs.

S.M.Jainnulanabdeen

.. Respondent/Respondent/
Complainant

Prayer : This Criminal Revision petition is filed under Section 397 r/w 401 of Cr.P.C., to reverse and set aside the order/Judgment dated 19.09.2013 passed in C.A.No.132 of 2010 on the file of the learned I Additional District Judge, Tiruchirappalli, in confirming the order in C.C.No.596 of 2005 on the file of the learned Judicial Magistrate No.I, Tiruchirappalli, dated 05.10.2010, as illegal.

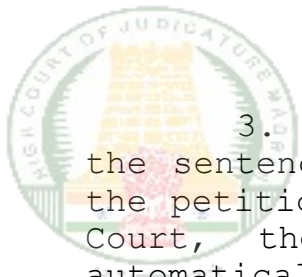
For Petitioners : Mr.S.Ramesh,
for Mr.V.Raghavachari.

For Respondent : Mr.R.Sundar

ORDER

The petitioners herein were found guilty of the offence under Section 138 of the Negotiable Instruments Act, by the Courts below. The first petitioner was sentenced to two years Simple Imprisonment.

2. When the Revision case was taken up for hearing, the learned counsel appearing for the petitioners submitted that the petitioners would remit the cheque amount of Rs.2 Lakhs to the credit of C.C.No.596 of 2005 on the file of the learned Judicial Magistrate No.1, Tiruchirappalli so that the same can be withdrawn by the complainant later. The petitioners' counsel states that the compensation amount will be paid within a period of four months from the date of receipt of a copy of this order.



3. Recording the said undertaking given by the petitioners, the sentence imposed on the petitioners would stand set aside. If the petitioners fail to adhere to the undertaking given before this Court, the sentence imposed on the petitioners would stand automatically restored.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The I Additional District Judge,
Tiruchirappalli.
2. The Judicial Magistrate No.I,
Tiruchirappalli.

Copy to:

The Section Officer, (2 Copies)
Criminal Section, (Records)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.SUNDAR, Advocate (SR-71697[F] dated 27/06/2019)

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-71914[F] dated 27/06/2019)

CrI. R.C. (MD) No.796 of 2011
26.06.2019

pmu

JMN(26.08.2019) 2P : 7C