



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2019

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.R.C. (MD) No. 799 of 2013

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M. Maheswari

... Petitioner

Vs.

K. Mathy

... Respondent

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for the records relating to the order passed in judgment dated 24.09.2013, passed in Crl.A.No.60 of 2013 on the file of the learned II Additional Sessions Judge, Thoothukudi, confirming the judgment dated 20.06.2013 in S.T.C.No.618 of 2013 on the file of the learned Judicial Magistrate No.I, Kovilpatti and set aside the same.

For Petitioner : M/s.M.Michael Bharathi

For Respondent : Mr.S.Ramasamy

O R D E R

The petitioner was found guilty of the offence under Section 138 of Negotiable Instruments Act by both the Courts below. At the time of filing of this criminal revision case, this Court suspended the sentence imposed on the petitioner on condition that the petitioner should deposit a sum of Rs.1,97,000/-. The counsel on either side submitted that the condition has been complied with.

2. When the matter was taken up for hearing, this Court suggested to the counsel on either side to amicably resolve the matter. I am happy to note that the parties have resolved the issue between themselves and have agreed to compound the offence. Accordingly, this criminal revision case is disposed of in the following terms:-

1) The complainant is entitled to withdraw the amount of Rs.1,97,000/- deposited by the accused to the credit of S.T.C.No.618 of 2013, on the file of learned Judicial Magistrate No.I, Kovilpatti immediately.

2) The accused undertakes to pay a sum of Rs.53,000/- on or before 14.10.2019. A further sum of Rs.50,000/- shall be deposited by the accused to the complainant either by way of demand draft or by any other mode on or before 15.02.2020.

3. Since the parties have compounded the offence, the judgments passed by the Courts below would stand set aside. If the petitioner fails to adhere to the undertaking now given before me, it would open to the



complainant to initiate contempt of the Court proceedings against the accused before me.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar (CS)

To:

1.The II Additional Sessions Judge,
Thoothukudi.

2.The Judicial Magistrate No.I,
Kovilpatti.

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-72113[F] dated 28/06/2019)

+1 CC to M/s.S.RAMASAMY, Advocate (SR-71970[F] dated 27/06/2019)

Cr1.R.C. (MD) No.799 of 2013
27.06.2019

KK/SAR/26.08.2019/2P-5C/