

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2020

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

Crl RC.Nos.913 to 916 of 2014

G. Manoharan
Proprietor
M/s.SDM & Co.,
No.6, Aziz Mulk 1st Street,
Thousand Lights,
Chennai - 600 006.

...Petitioner in all the
Revision Petitions

Vs.

Mrs. Kavitha
Rep by Power Agent
Mr.Arjunlal

...Respondent in
Crl Rc. No.913 of 2014

Mrs. V. Manisha
Rep by Power Agent
Mr.Arjunlal

...Respondent in
Crl Rc. No.914 of 2014

Mrs.Vinitha S.Wadhwa
Rep by Power Agent
Mr.Arjunlal

...Respondent in
Crl Rc. No.915 of 2014

Mr. Deepak Madhavadas
Rep by Power Agent
Mr.Arjunlal

...Respondent in
Crl Rc. No.916 of 2014

Prayer in Crl OP No.913 of 2014 : Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code praying to set aside the judgment of conviction imposed in C.A.No.209 of 2013 on the file of the VII Additional Judge, City Civil Court, Chennai dated 04.07.2014 confirming the judgment in C.C. No.3328 of 2010 on the file of the Metropolitan Magistrate Court, Fast Track Court No.IV, George Town, Chennai dated 06.09.2013.

Prayer in Crl OP No.914 of 2014 : Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code praying to set aside the judgment of conviction imposed in C.A.No.208 of 2013 on the file of the VII Additional Judge, City Civil Court, Chennai dated 04.07.2014 confirming the judgment in C.C. No.3327 of 2010 on the file of the Metropolitan Magistrate Court, Fast Track Court No.IV, George Town, Chennai dated 06.09.2013.

Prayer in Crl OP No.915 of 2014 : Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code praying to set aside the judgment of conviction imposed in C.A.No.210 of 2013 on the file of the VII Additional Judge, City Civil Court, Chennai dated 04.07.2014 confirming the judgment in C.C. No.3329 of 2010 on the file of the Metropolitan Magistrate Court, Fast Track Court No.IV, George Town, Chennai dated 06.09.2013.

Prayer in Crl OP No.916 of 2014 : Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code praying to set aside the judgment of conviction imposed in C.A.No.211 of 2013 on the file of the VII Additional Judge, City Civil Court, Chennai dated 04.07.2014 confirming the judgment in C.C. No.3330 of 2010 on the file of the Metropolitan Magistrate Court, Fast Track Court No.IV, George Town, Chennai dated 06.09.2013.

For Petitioner : Mr. C.K.M. Appaji
For Respondent : No Representation

COMMON ORDER

These Criminal Revision Petitions have been directed by the Revision petitioner / accused against the conviction and sentence imposed on him by the courts below under Section 138 Negotiable Instrument Act.

2. Pending revision, the parties had been referred to the Tamil Nadu Mediation and Conciliation Centre for effecting settlement.

3. It is noted that the parties, namely, the revision petitioner and the respondents / complainants in all the petitions through their authorised agent had appeared before the Mediation Centre along with the respective counsel and the matter had been settled between them as per the terms entered into between the parties and reflected in the mediation agreement. The mediation agreement entered into between the

parties has been forwarded to this Court by the Tamil Nadu Mediation and Conciliation Centre for further orders.

4. Considering the mediation agreement entered into between the parties in the presence of their counsel, it is found that the revision petitioner/accused had paid a total sum of Rs.40,000/- to the respondents/complainants towards the cheque amount in all the four criminal revision cases and it is noted that the authorised representative of the respondents/complainants in all the four cases had confirmed the receipt of the said amount towards the full and final settlement and also further confirmed that the respondents/complainants in all the four cases do not have any other claim against the revision petitioner/accused and it is further seen that accordingly, the revision petitioner/accused is granted the liberty to withdraw all the four revision cases as having become infructuous. The mediation agreement has been signed by the revision petitioner and the authorised representative of the respondents /complainants and their respective counsel.

5. The abovesaid mediation agreement dated 14.09.2017 entered into between the parties is recorded.

6. In the light of the abovesaid factors, inasmuch as the parties namely, the Revision petitioner and the respondents/complainants had chosen to compound the offence among themselves and the same being permissible as per Section 147 of the NI Act, as well as in accordance with the provision of Section 320 (6) and (8) of Cr.P.C., the criminal revision cases are disposed of as settled at Tamil Nadu Mediation and Conciliation Centre, High Court, Madras and consequently, the conviction and sentence imposed on the accused in C.C.Nos.3328, 3327, 3329 & 3330 of 2010 on the file of the Metropolitan Magistrate Court, Fast Track Court, No.IV, George Town, Chennai, are set aside and the Revision petitioner/accused is acquitted of the offence put forth against him under Section 138 of the Negotiable Instrument Act, in all the aforesaid CCs. The fine amount, if any paid by the Revision Petitioner/accused, shall be refunded to him.

Sd/-

Assistant Registrar(CS I)

//True Copy//

Sub Assistant Registrar

bga

1.VII Additional Judge, City Civil Court, Chennai

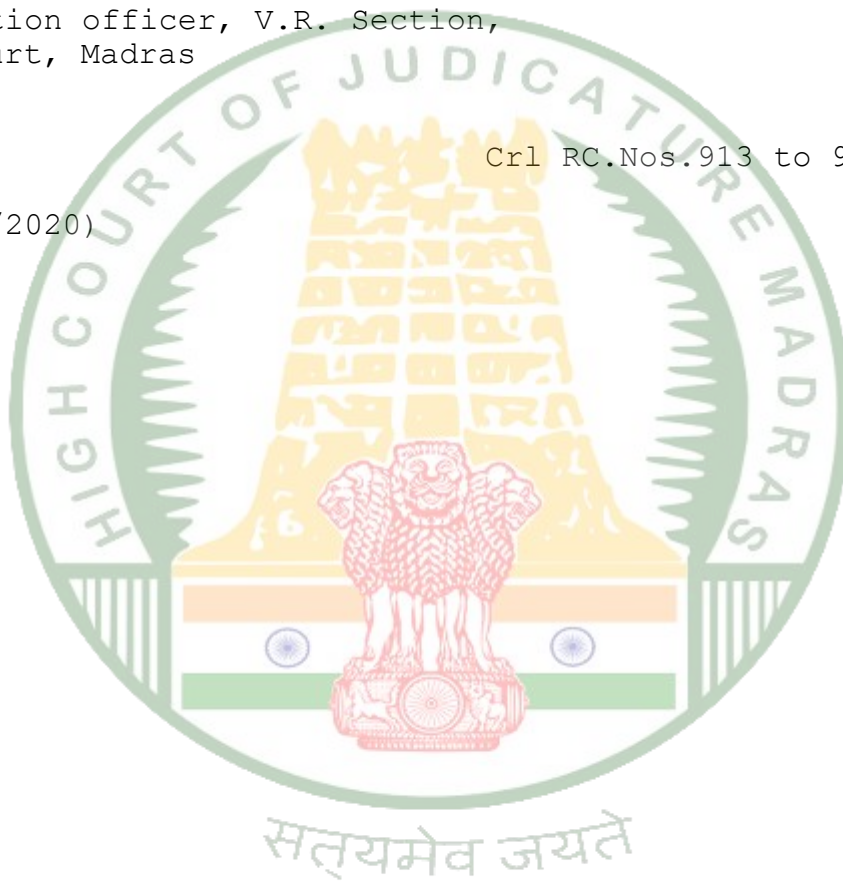
2.The Metropolitan Magistrate Court,
Fast Track Court No.IV, GeorgeTown,
Chennai.

3.The Chief Metropolitan Magistrate,
Egmore, Chennai(for information)

4.The Section officer, V.R. Section,
High Court, Madras

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RMP (30/09/2020)



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