

Bail Slip

The Appellant in Crl.R.C.No.480 of 2017 viz., S.Riyaz, S/o.A.Shajahan, was directed to be released on bail as per order of this Court dated 24.02.2017 made in Crl.MP.No.4304 of 2017 in Crl.R.C.No.480 of 2017.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.R.C.No.480 of 2017 and
Crl.M.P.No.4304 of 2017

S.Riyaz

Vs

.. Petitioner

1.S.Bharanidharan

2.The State rep. by
Public Prosecutor,
Erode District.

.. Respondents

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. praying to set aside the judgment dated 17.2.2017 passed in Crl.A.No.84/2016 on the file of the I Additional District and Sessions Judge, Erode, confirming the judgment dated 23.3.2016 passed in STC.No.103/2011 on the file of the Judicial Magistrate Court No.I, Erode.

For Petitioner :Mr.I.C.Vasudevan

For Respondents :Mr.K.Prabakar,

Addl. Public Prosecutor for R2

No appearance for R1

ORDER

The revision petitioner is an accused in STC.No.103 of 2011 on the file of the learned Judicial Magistrate No.1, Erode. By judgment dated 23.03.2016, he was convicted for an offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo Simple Imprisonment for a period of six months. Aggrieved over the same, the petitioner preferred a Criminal Appeal before the learned I Additional District and Sessions Judge, Erode. By judgment dated 17.02.2017, the Appellate Court confirmed the conviction and sentence of the trial Court. Against the same, the petitioner is before this Court with this Criminal Revision.

2. The matter, according to the learned Counsel for the revision petitioner, is settled between the parties. The learned Counsel produced a Memo dated 06.01.2020 signed by the petitioner along with Original Compromise Deed entered into between the parties before a Notary Public .

3. Though the name of the first respondent is printed in the cause list, there is no representation on behalf of him.

4. The Memo filed by the petitioner reads as thus:

"It is submitted that the above matter is settled out of court. The petitioner herewith produces the original compromise deed signed by both parties. The same may be recorded and thus render justice."

5. Recording the Memo of the petitioner dated 06.10.2020 along with the Original terms of compromise entered into between the parties dated 16.04.2017, the conviction and sentence imposed on the revision petitioner in STC.No.103 of 2011 by the learned Judicial Magistrate No.1, Erode by judgment dated 23.03.2016, which was confirmed by the judgment dated 17.2.2017 in Criminal Appeal No.84/2016 by the learned I Additional District and Sessions Judge, Erode are set aside. The petitioner is acquitted from the charge levelled against him. The Memo filed by the petitioner along with the Original Terms of Compromise shall form part of this order.

6. The Criminal Revision stands allowed. Consequently, connected Miscellaneous Petition is closed.

**(*) Copy of Memo filed by the Petition,
dated 06.01.2020 and Original Compromise
Deed 16.04.2017, herewith enclosed**

Sd/-

Assistant Registrar(C.S.III)

/True Copy/

सत्यमेव जयते
Sub Assistant Registrar

To

1. The Judicial Magistrate No.I, Erode.
2. The I Additional District and Sessions Judge, Erode.
3. The Chief Judicial Magistrate, Erode.
4. The Public Prosecutor, Erode District.
5. The Public Prosecutor, High Court of Madras, Chennai -104.

AKM/26.02.2020/2P-6C /

Cr1.R.C.No.480/2017