



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

CrI.R.C.No.1511 of 2019 and
CrI.M.P.No.19146 of 2019

G.Vinay .. Petitioner
Vs
Devi .. Respondent

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. praying to set aside the order of the learned Principal Sessions Judge at Chengalpattu in C.A.No.19/2018 dated 24.10.2019, confirming the judgment of conviction dated 25.4.2017 passed by the Judicial Magistrate, Tambaram in STC.No.448/2014 and consequently acquit the petitioner of the charge under Section 138 of the Negotiable Instruments Act.

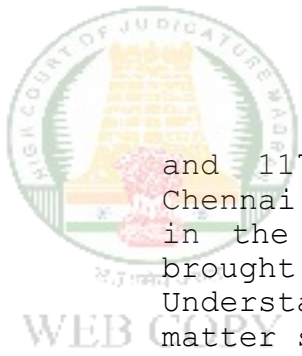
For Petitioner :Mr.P.Premkumar

For Respondent :Mrs.V.Devi,
Party-in-person

ORDER

The revision petitioner is an accused in STC.No.448 of 2014 on the file of the learned Judicial Magistrate, Tambaram and by judgment dated 25.04.2017, he was convicted for an offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.5,000/-, failing which, he shall undergo simple imprisonment for a further period of 3 months. Aggrieved over the same, the petitioner preferred a Criminal Appeal before the learned Principal District and Sessions Judge, Kancheepuram at Chengalput in CrI.A.No.19/2018. By judgment dated 24.10.2019, 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. When the matter was called today, the learned Counsel for the petitioner submitted that the matter has been settled between the parties. The respondent by name Devi appeared in person. To prove her identity, she produced her Aadhar Card bearing No.6428 2742 8977 before this Court. She made an endorsement to the effect that the matter has already been settled and she realised the entire amount of RS.10,00,000/- by way of two Demand Drafts bearing Nos.117404



and 117405 dated 02.11.2019, drawn on Karur Vysya Bank, Chennai C.C.O. Branch, the copies of which have been enclosed in the typed set of papers at page No.59. She has also brought to the notice of this Court that a Memorandum of Understanding has been registered on 10.12.2019 for having the matter settled.

3. Recording the above submission and the endorsement made by the parties, the conviction and sentence passed by the courts below against the revision petitioner are set aside. The petitioner is acquitted from the charge levelled against him. The Memorandum of Compromise dated 10.12.2019 shall form part of the order. The petitioner is permitted to withdraw the pre-deposit amount, if any, deposited before the court below.

4. The Criminal Revision Case is disposed of in the above terms. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate,
Tambaram.

2.The Principal Sessions Judge,
Chengalput.

+1cc to Mr.P.Prem Kumar, Advocate, S.R.No. 1188

Crl.R.C.No.1511 of 2019

BS (CO)
GN(28/02/2020)