



BAIL SLIP

The Petitioner's namely M.Sellampillai, S/o.Maruthamuthu was released on bail as per order of this Court dated 30.11.2017 and made in Crl.MP(MD)No.10930 of 2017 in Crl.R.C.(MD)No.894 of 2017 on the file of this Court.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.R.C.(MD)No.894 of 2017

M.Sellampillai

... Petitioner/Sole Accused

Vs.

R.Raju

... Respondent/Complainant

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to set aside the order passed in C.A.No.123 of 2017 dated 23.10.2017 on the file of the learned Additional Sessions Court, Karur, by confirming the sentence passed by the learned Judicial Magistrate/Fast Track Court at Magisterial Level, Karur in C.C.No.489 of 2014 dated 18.07.2017 and acquit the petitioner.

For Petitioner : Mr.R.Mathiyalagan

ORDER

Heard the learned counsel appearing for the revision petitioner.

2.The revision petitioner was prosecuted for the offence under Section 138 of the Negotiable Instruments Act in C.C.No.489 of 2014, on the file of the learned Judicial Magistrate/Fast Track Court at Magisterial Level, Karur. The case ended in conviction and sentence. It was also confirmed in C.A.No.123 of 2017 by the Additional Sessions Court, Karur. Questioning the same, this criminal revision case came to be filed.



3. During the pendency of this criminal revision case, the petitioner had paid the entire cheque amount of Rs.4,00,000/- (Rupees Four Lakhs Only) to the complainant/Raju. The matter had been compromised. However, the respondent had not chosen to enter appearance before this Court. His name is printed in the cause list. The petitioner's counsel has enclosed a copy of the receipt issued to the complainant/Raju. He would state that since the issue has been settled, he has not chosen to contest this criminal revision case any further. If the complainant is before this Court, I can compound the matter. Since the complainant is not before this Court and there is material to show that the cheque amount has been paid, I can only show indulgence in the matter of sentence. Therefore, this criminal revision case is partly allowed by confirming the conviction but setting aside the sentence imposed on the petitioner, since the petitioner had paid the cheque amount to the complainant.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS-)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To:

1. The Additional Sessions Judge, Karur.
2. The Judicial Magistrate,
Fast Track Court (Magisterial Level),
Karur.
3. -do-through : The Chief Judicial Magistrate,
Karur.
4. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

IAS

TE : 05/02/2021 : 2P/6C

Crl.R.C. (MD)No.894 of 2017
23.12.2020