



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.R.C.No.79 of 2021 and
CrI.M.P.No.1523 of 2021

D.Mohan

...Petitioner/Accused

Vs.

J.Dayanithi

...Respondent/Complainant

The Criminal Revisions filed under Section 397 read with 401 of Code of Criminal Procedure seeking to call for the records relating to the order of conviction and sentence passed by the learned Metropolitan Magistrate Fast Track Court No.2, Egmore, Allikulam, Chennai, made in C.C.No.2801 of 2011 dated 17.11.2017 and as confirmed by the judgment dated 21.01.2021 made in C.A.No.393 of 2017 by the learned XVIII Additional Sessions Judge, City Civil Court, Chennai, and set aside the same.

For Petitioner : Mr.Malarvannan
for M/s.V.Jeevagiridharan

For Respondent : Mr.P.Sivamani

ORDER

This criminal revision is preferred against two concurrent judgments of the Courts below convicting the petitioner for offence under Section 138 of Negotiable Instruments Act and sentencing him to undergo simple imprisonment for a period of one year and to pay a sum of Rs.8,75,000/- as compensation under Section 357 Cr.P.C. in default, to undergo simple imprisonment for a further period of three months.

2 When the matter is called both the learned counsel for the petitioner as well as the respondent informed that a settlement has been reached between the parties. A joint memo of compromise has also been filed by the petitioner/accused informing that the matter has been compromised between him and the respondent/complainant and this Court may set aside the conviction rendered by the trial Court in C.C.No.2801 of 2011 dated 17.11.2017 and as confirmed by the judgment dated 21.01.2021 made in C.A.No.393 of 2017 by the learned XVIII Additional Sessions Judge, City Civil Court, Chennai.



3 Taking into consideration the joint memo of compromise filed by the petitioner/accused and the respondent/complainant, this Court records compounding of offence under Section 138 of the Negotiable Instrument Act. This Criminal Revision Case shall stand allowed and the offence under Section 138 of Negotiable Instruments Act tried in C.C.No.2801 of 2011, on the file of the learned Metropolitan Magistrate Fast Track Court No.II, Egmore, Allikulam, Chennai, shall stand compounded. According to Section 320(8) Cr.P.C., the petitioner/accused shall stand acquitted of all charges against him. Fine amount, if any, paid by the petitioner shall be refunded to him. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

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Sub Assistant Registrar

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To

1. The Metropolitan Magistrate Fast Track Court No.2, Egmore, Allikulam, Chennai.
2. The XVIII Additional Sessions Judge, City Civil Court, Chennai.

+1cc to Mr.V.Jeevagiridaran, Advocate Sr.35452

Cr1.R.C.No.79 of 2021 and
Cr1.M.P.No.1523 of 2021

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srg 13/08/2021