



WEB COPY

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court
Legal Services Committee

Thursday, the 7th day of October, 2021

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and Member
Mr. A.Selvadoss, District Judge, Retd

CRL.RC.No.387 of 2020

This Criminal Revision Case is filed praying to call for the records in Criminal Appeal No.63 of 2017 on the file of Principal Sessions Judge, Thiruvallur and set aside the order dated 24.09.2019 confirming the conviction and sentence passed by the Judicial Magistrate, Fast Track Court, Magisterial Level at Thiruvallur in STC.No.17 of 2016 by a judgment dated 04.04.2017 by allowing this revision.

M.Jagannathan

... Petitioner

Vs.

P.Richard

.. Respondent

This case came up for settlement before the Lok Adalat. Mr.K.Balasubramaniam, learned counsel for the Petitioner and Mr.Amar D.Pandiya, learned counsel for the respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Criminal Revision Petition in Crl.RC.No.387 of 2020 pending on the file of High Court, Madras and preferred against the judgment in Crl.A.No.63 of 2017 on the file of Principal Sessions Judge at Thiruvallur which was filed against the conviction and sentenced imposed by the learned Judicial Magistrate, Fast Track Court, Magisterial Level at Thiruvallur in STC.No.17 of 2016 has been referred to Lok Adalat for conciliation today.

2. The revision petitioner who is the accused before the



Trial Court and respondent who is the complainant in this proceedings assisted by their respective counsel are present before the Lok Adalat for conciliation today.

3. The fact remains that the revision petitioner has borrowed a sum of Rs.30,00,000/- to carry on his business from the respondent who is the complainant before the Trial Court and failed to pay the above said amount along with interest within a stipulated time. The revision petitioner, therefore, has issued a cheque for a sum of Rs.36,60,000/- bearing cheque no.225939 dated 03.09.2015 towards the amount borrowed by the revision petitioner from the respondent and the above said cheque, when presented before the concerned bank, was returned with endorsement "Account Closed". In the said circumstances, the respondent has lodged a complaint under Section 138 of Negotiable Instruments Act. The petition before the learned Judicial Magistrate, Fast Track Court, Magisterial Level at Thiruvallur which was taken on file in STC.No.17 of 2016 and on merits the learned Magistrate found the revision petitioner guilty and convicted and sentenced him to undergo Simple Imprisonment for one year and six months apart from directing him to pay compensation to the complainant/respondent a sum of Rs.36,60,000/-. Aggrieved by the said judgment, the revision petitioner as appellant has preferred the Criminal Appeal No.63 of 2017 on the file of learned Principal Sessions Judge, Thiruvallur and the conviction and sentence as well as compensation ordered was confirmed. The revision petitioner has filed this revision petition against the judgment of the Appellate Court.

4. At the instance of the well wishers of the revision petitioner and the respondent, the revision petitioner and the respondent have compromised the dispute between them whereby, the revision petitioner has paid the entire sum of Rs.36,60,000/- to the respondent by way of cash on 04.09.2021 and 24.09.2021. The said amount was received by the respondent herein. Hence, it was agreed between both the parties to set aside the conviction and sentence imposed in STC.No.17 of 2016 on the file of learned Judicial Magistrate referred to above and confirmed by the Principal Sessions Judge, Thiruvallur in C.A.No.63 of 2017 on his file. They have also agreed to have the revision petitioner acquitted and set at liberty.

5. A joint memo of compromise filed by both the parties has been read over and explained to the parties in Tamil and they agreed the same to be correct and they have also signed in the joint memo of compromise. The joint memo of compromise has been recorded by Lok Adalat today.

6. In view of the compromise entered into between both the



parties, the conviction and sentence made in STC.No.17 of 2016 on the file of the Court of Judicial Magistrate, Fast Track Court, Magisterial Level at Thiruvallur, and confirmed by the Court of Principal Sessions Judge, Thiruvallur in C.A.No.63 of 2017 are set aside, the revision petitioner acquitted and set at liberty.

Enclosed herein the Joint memo of Compromise.

Sd/-
M.Jagannathan

Sd/-
Counsel for the Petitioner

Sd/-
P.Richard

Sd/-
Judge

Sd/-
Counsel for the Respondent

Sd/-
Member

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

drl

To:

The parties/Advocate concerned

Copy to:

1. The Judicial Magistrate,
Fast Track Court, Magisterial Level at Thiruvallur.
2. The Principal Sessions Judge,
Thiruvallur.
3. The Secretary,
High Court Legal Services Committee,
Chennai.
4. The Section Officer,
V.R.Section, High Court, Madras.
5. The Section Officer,
Lok Adalat Section, High Court, Madras.(+2 Copies)

CRL.RC.No.387 of 2020

AK-II(CO)
CT 08/12/2021