



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.02.2021

CORAM :

THE HON'BLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

CRL.R.C.Nos.133 to 137 of 2014 and

M.P.Nos. 1 to 1 of 2014 & 2 to 2 of 2014

Haresh Chatlani
S/o.Jethanand

..Petitioner in Crl.RC.133 to 136/2014

Alka Chatlani
W/o.Haresh Chatlani

.. Petitioner in Crl.RC.137/2014

Vs.

Anil Punjabi
S/o.Punjabi
Proprietor of Acira
No.55/75, Harrington Road
Chetpet, Chennai 600 031

.. Respondent in All Crl.R.Cs.

PRAYER: Criminal Revision Cases are preferred under Section 397 r/w.401 Cr.P.C. to set aside the judgment and order dated 18.12.2013 passed by the I Additional Session Judge, Madras (V Additional in charge I Addl. Sessions Court, Chennai) in C.A.Nos.232/2011, 234/2011, 233/2011, 231/2011, 235 of 2011 confirming the judgment of conviction and sentence dated 03.11.2011 passed by the XIV Metropolitan Magistrate, Egmore, Chennai 600 008 in C.C.Nos.15348/2008, 16075/2008, 41/2009, 15349/2008, 16361/2008 respectively.

For Petitioners : Mr.S.A.Rajan

For Respondent : Mr.V.Suresh Kumar

O R D E R

These Criminal Revision Cases are preferred by the petitioners seeking to set aside the judgment and order dated 18.12.2013 passed by the I Additional Session Judge, Madras (V Additional in charge I Addl. Sessions Court, Chennai) in C.A.Nos. 232/2011, 234/2011, 233/2011, 231/2011, 235 of 2011 confirming the judgment of conviction and sentence dated



03.11.2011 passed by the XIV Metropolitan Magistrate, Egmore, Chennai 600 008 in C.C.Nos.15348/2008, 16075/2008, 41/2009, 15349/2008, 16361/ 2008 respectively.

2.The respondent in all the five Criminal Revision Cases are one and the same while the husband is the Revision Petitioner in Crl.R.C.Nos.133, 134, 135 and 136 of 2014 and the wife is the Revision Petitioner in Crl.R.C.No.137 of 2014.

3.Learned counsel for the petitioners would submit that the petitioners and the respondent have entered into a Joint Compromise Memo for compounding of offence dated 27.01.2021. The learned counsel would submit that the total amount involved in all these cases is Rs.11 lakhs and at the time of filing Criminal Revision Cases, the petitioners have deposited a sum of Rs.5 Lakhs to the credit of C.C.Nos.15348, 16075, 15349, 16361 of 2008 and C.C.No.41 of 2009 and pursuant to the Joint Compromise Memo, the petitioners have paid an amount of Rs.6 Lakhs by way demand draft bearing No.010526 drawn on HDFC Bank, in the name of ACIRA on 08.01.2021, towards full and final settlement and the petitioners have also no objection in the respondent / complainant withdrawing the amount of Rs.5 Lakhs which has been deposited to the credit of C.C.Nos.15348, 16075, 15349, 16361 of 2008 and C.C.No.41 of 2009

4.Learned counsel for the petitioners would further submit that pursuant to the order passed by this Court on 18.02.2021, the petitioners have also deposited Rs.10,000/- in each case to the Tamil Nadu State Legal Services Authority, Chennai. Accordingly prays for appropriate orders.

5.In view of the order passed by this Court in Crl.M.P.No.1872 to 1875 and 1877 of 2021 in Crl.R.C.Nos.133 to 137 of 2014, compounding the offence and acquitting the accused, these Criminal Revision Cases are allowed and the orders passed by the Appellate Court in Crl.A.Nos.231 to 235 of 2011 dated 18.12.2013 and the Trial Court in C.C.Nos.15348, 16075, 15349, 16361 of 2008 and C.C.No.41 of 2009 dated 03.11.2011 are hereby set aside. The petitioners are acquitted from the charges framed against them. The fine amount if any paid by the petitioners to be refunded to them. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Session Judge
(V Additional in charge I Additional
Session Court), Chennai.

2. The XIV Metropolitan Magistrate
Egmore, Chennai.

Copy To:

The Section Officer,
Criminal Section (Records)
High Court, Madras.

+4ccs to Mr.S. BALAJI, Advocate, S.R.No.12429,12431,12432,12433

CRL.R.C.Nos.133-137/2014

SV(CO)
BE(05/08/2021)