



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.1073 of 2020

and

Crl.M.P.Nos.7461 of 2020 and 5468 of 2021

K.Marimuthu

...Petitioner/Accused

vs.

1.The State, rep by
Public Prosecutor,
Coimbatore.

2.B.Prakash

...Respondents/Complainant

PRAYER : Criminal Revision Case filed under Section 397 and 401 of Criminal Procedure Code, to set aside the order of conviction and sentence in order dated 01.06.2018 passed in C.C.No.204/2017 on the file of the Judicial Magistrate, Fast Track Court at Magistrate Level-II, at Coimbatore and confirming in appeal by the IV Additional District and Sessions Judge, at Coimbatore in Crl.Appeal No.274/2018 dated 11.02.2020 and to allow the Criminal Revision Petition and the petitioner may be acquitted and set at liberty by this Court.

For Petitioner : Mr.V.T.Narendiran

For Respondents: Mr.K.Mathan (For R1)

Government Advocate (Crl.side)

O R D E R

This Criminal Revision case has been filed to set aside the order of conviction and sentence dated 01.06.2018 passed in C.C.No.204 of 2017 on the file of the Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore and confirming in appeal by the IV Additional District and Sessions Judge, Coimbatore in Criminal Appeal No.274 of 2018 dated 11.02.2020 and to allow the Criminal Revision Petition and the petitioner may be acquitted and set at liberty by this Court.

2. The matter arising out of the Negotiable Instruments Act, 1881 and the concurrent judgments in C.C.No.204 of 2017 on the file of the Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore and also in Criminal Appeal No.274 of 2017 on the file of the IV Additional District and Sessions Judge,



Coimbatore, respectively. Challenging the said judgment of the dismissal of the appeal passed by the learned IV Additional District and Sessions Judge, Coimbatore, the petitioner has filed the present revision before this Court. During the pendency of the revision, the parties have entered into a compromise and settle the matter amicably. Therefore, it is a compoundable sentence.

3. The matter came up for hearing earlier on 29.04.2021, this Court directed the petitioner to deposit 15% of the cheque amount. As per the direction of this Court, the petitioner has deposited the cheque amount and he has also filed a proof of deposit for a sum Rs.52,500/- that is equal to 15% of the cheque amount before the Tamil Nadu State Legal services Authority, Chennai.

4. Since the offence under Section 138 of the Negotiable Instruments Act, 1881, is a compoundable offence and the parties have settled the matter. The matter is compounded.

5. In view of the same, the judgments of the Trial Court as well as Appellate Court are set aside. The criminal revision case is allowed. Consequently, the connected criminal miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To

1.The Judicial Magistrate,
Fast Track Court at Magistrate Level-II,
Coimbatore

2.The IV Additional District and Sessions Judge,
Coimbatore

3.The Public Prosecutor,
Coimbatore.

4.The Section Officer,
Criminal Section, High Court, Madras 104.

+2 Ccs to Mr.V.T.Narendiran, Advocate sr 27013.

CrI.R.C.No.1073 of 2020

CA(CO)
SP(20/07/2021)