

Supreme Court in the case of "Damodar S.Prabhu Versus Sayed Babala H reported in 2010 5 SCC 663" held that "if the application for compounding is made before the Sessions Court or a High Court in revision or appeal, such compounding may be allowed on the condition that the accused pays 15% of the cheque amount by way of costs.". To compound the offence under Section 138 of the Negotiable Instruments Act, 1881 before this Court, the petitioner has deposited 15% of the cheque amount before the Registry by way of demand draft dated 24.03.2021. Therefore, both the parties have settled the matter and the respondent/complainant is agreed for compounding the sentence.

5.A Compromise memo, dated 24.03.2021 has been filed before this Court which have been signed by the petitioner and the respondent and also by their respective counsel. Under such circumstances, no useful purpose will be served in keeping the case pending.

6.Hence, the Criminal Revision is allowed and the Judgment of the learned Judicial Magistrate No.IV, Salem in S.T.C.No.2576 of 2017, dated 06.02.2019 and the Judgment of the learned III Additional District Judge, Salem in C.A.No.46 of 2019, dated 05.10.2020 are set aside. The terms of Compromise Memo shall form part and parcel of this order. The petitioner is acquitted of all charges levelled against him. The bail bond if any executed shall stand cancelled. Consequently, the connected Criminal Miscellaneous Petitions are closed.

**(*) Xerox copy of COMPROMISE MEMO
herewith enclosed.**

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The III Additional District Judge, Salem.
- 2.The Judicial Magistrate No.IV, Salem.

+1cc to Mr.T.Muruganantham, Advocate Sr.No.19991

akm/30.04.21 /2p-4c/

Crl.R.C.No.1101 of 2020
26.03.2021