



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.1473 of 2018

L.Kamal ... Petitioner/Accused
Vs.
R.Archana ... Respondent/Complainant

PRAYER: This Criminal Revision Case has been filed under Sections 397 and 401 of Cr.P.C against the order passed in Crl.Appeal No.333 of 2018 on 29.11.2018 by the learned XVII Additional City Civil Court, Chennai, confirming the judgment passed in C.C.No.202 of 2016, on 28.05.2018 convicting the accused for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo ten months simple imprisonment and to pay a compensation of Rs.15,00,000/- to the complainant under Section 357(3) of Cr.P.C within one month and in default of payment of the compensation, he shall further ordered to undergo two months simple imprisonment as default sentenced by the learned Metropolitan Magistrate, Fast Track Court IV, George Town, Chennai- 600 001.

For Petitioner : Mr.M.Asokaa
For Respondent : Mr.M.Marimuthu

O R D E R

The revision petitioner is the sole accused, who was convicted in C.C.No.202 of 2016, on the file of the learned Metropolitan Magistrate, Fast Track Court - IV, George Town, Chennai - 1, for the offence under Section 138 of the Negotiable Instruments Act and the learned Judge has imposed the sentence to undergo ten months simple imprisonment and to pay a compensation of Rs.15,00,000/-. As against which, the accused has filed Criminal Appeal in Crl.A.No.333 of 2018, before the learned XVII Additional City Civil Court, Chennai and the same was dismissed on 29.11.2018. Hence, the Criminal Revision Case.

2.At the time of admission of this Criminal Revision Case, stay was granted on condition to pay a fine of Rs.5,00,000/- and the same was deposited by the revision petitioner to the credit of C.C.No.202 of 2016. In the meantime, the respondent/private complainant has filed a petition in Crl.M.P.No.4403 of 2019, seeking permission to receive the said amount of Rs.5,00,000/-.



3. At this juncture, it is came to light that after filing of Crl.M.P.No.4403 of 2019, the sole revision petitioner/accused died on 24.03.2019 and death certificate has also been produced. Accordingly, proceedings in this revision stands abated and the respondent herein/complainant is permitted to withdraw the deposited amount since the revision petitioner/accused has already deposited an amount of Rs.5,00,000/-.

4. Accordingly, this Criminal Revision Case stands dismissed as abated.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The XVII Additional Judge City Civil Court, Chennai.

2. The Metropolitan Magistrate,
Fast Track Court IV, George Town, Chennai- 600 001.

+2ccs to M/s.M.Marimuthu, Advocate SR.No. 35254

+1cc to M/s.M.S.Soundararajan, Advocate SR.No. 35457

Crl.R.C.No.1473 of 2018

VSN II(CO)

B.VC(27.07.2021)