



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2021

CORAM

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

CRL.R.C. (MD) .No.125 of 2018

K.Kumaresan

: Petitioner / Appellant/ Accused

Vs.

M.Kanjithalaivan

: Respondent / Respondent / Complainant

PRAYER: Criminal Revision Petitions have been filed under Section 397 (1) r/w 401 of Criminal Procedure Code, to set aside the judgment dated 08.01.2018 made in CrI.A. No.12 of 2016 on the file of the learned IV Additional District and Sessions Judge, Madurai, confirming the judgment passed by the learned Judicial Magistrate No.II, (Fast Track Court) Madurai, dated 18.02.2016 in S.T.C.No.399 of 2013 and acquit the petitioner / accused.

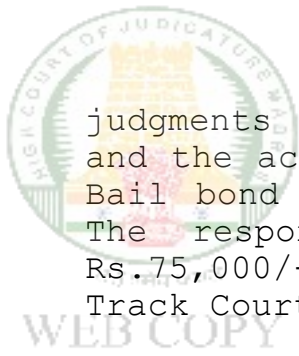
For Petitioner : Mr.A.Kalidass,
For Respondent : Mr.T.Thirupathi.

ORDER

The Criminal Revision Case is directed against the Judgment of conviction passed in CrI.A.No.12 of 2016, dated 08.01.2018 on the file of the learned learned IV Additional District and Sessions Judge, Madurai, confirming the Judgment of conviction dated 18.02.2016 passed in S.T.C.No.399 of 2013 on the file of the learned Judicial Magistrate No.II, (Fast Track Court) Madurai.

2. Today (16.09.2021), when the matter is taken up for hearing, both counsel on record would submit that they have already filed joint compromise memo. The petitioner and the respondent appeared through video conference. The contents of the joint compromise memo are read over and explained to both the parties and they would admit the same. It is not in dispute that the respondent/complainant received a sum of Rs.75,000/- paid through D.D.No.164902, dated 09.08.2021 drawn on Karur Vysya Bank, Gnanaolivupuram Branch, Madurai and that the petitioner had already deposited a sum of Rs.75,000/- to the credit of S.T.C.No.399 of 2013 on the file of the Judicial Magistrate No.II, (Fast Track Court) Madurai, as per the conditional order passed by this Court. The joint compromise memo filed by both the parties is recorded.

3. In view of the compromise entered between the parties, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 147 of the Negotiable Instruments Act. Consequently, the Criminal Revision Case is allowed and the



judgments of the trial Court and the Appellate Court are set aside and the accused is acquitted from the charges levelled against him. Bail bond if any, executed by the accused shall stand discharged. The respondent is permitted to withdraw the said amount of Rs.75,000/- before the learned Judicial Magistrate No.II, (Fast Track Court) Madurai.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

das

ENCL.Joint Compromise Memo

To

1.The IV Additional District and Sessions Judge,
Madurai.

2.The Judicial Magistrate No.II,
(Fast Track Court) Madurai.

3.The Section Officer, (2C)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.THIRUPATHY, Advocate (SR-29366[F] dated 16/09/2021)

+1 CC to M/s.J.PANDI DORAI, Advocate (SR-29504[F] dated
17/09/2021)

CRL.R.C. (MD) .No.125 of 2018
16.09.2021

ES (CO)

KB(23.09.2021) 2P 7C