

**BAIL SLIP**

T. Jothiraj, S/o. N. Tharmar, male aged about 43 years/2016 (Accused) is released on bail vide court order dated 20.06.2016 made CRL.MP(MD).13426/2016 in CRL.RC(MD).262/2016 on the file of this Court.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED : 18.02.2021****CORAM :****THE HONOURABLE MRS. JUSTICE S. ANANTHI****Cr1.RC(MD) No. 262 of 2016**

T. Jothiraj ... Petitioner/Appellant/Accused
Vs.
T. Ashokkumar ... Respondent/Respondent/Complainant

PRAYER: Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code, to call for the records to the Judgment, dated 30.03.2016 in C.A. No. 8 of 2015 passed by the learned Fast Track Mahila Court, Karur, which confirmed the Judgment of conviction and modified the sentence passed by the Fast Track Court (Magistrate Level), Karur, in C.C. No. 463 of 2013, dated 22.01.2015 and set aside the same.

For Petitioner : Mr. M. Arumugam for
Mr. B. Rajesh Saravanan
For Respondent : Mr. B. Saravanan

O R D E R

This Criminal Revision Case is filed by the petitioner to set aside the Judgment, dated 30.03.2016 in C.A. No. 8 of 2015 passed by the learned Fast Track Mahila Court, Karur, which confirmed the Judgment of conviction and modified the sentence passed by the Fast Track Court (Magistrate Level), Karur in C.C. No. 463 of 2013, dated 22.01.2015.

2. The revision petitioner was tried for the offence under Section 138 of Cr.P.C before the learned Judicial Magistrate, Fast Track Court, (Magistrate Level), Karur and the trial Court, in conclusion of the trial, found him guilty, convicted and sentenced to undergo simple imprisonment for five months and to pay a fine of Rs.2,000/-, in default, to undergo simple imprisonment for 30 days for the offence he was stood charged. The petitioner preferred an appeal before the Court of Sessions and the same was taken in C.A.No.8 of 2015 and was partly allowed by order, dated 30.03.2016 by the learned Sessions Judge, Karur, modifying the conviction and sentence imposed by the trial Court. Aggrieved by the orders of the Courts below, the petitioner has preferred this revision case.

3. When the matter is taken up today, the learned Counsel for the petitioner submitted that steps have been taken and the issue has been solved amicably and the petitioner has also paid the entire cheque amount to the respondent/complainant. In this regard, the



learned Counsel has also filed Joint Compromise Memo, dated 18.02.2021, signed by both the petitioner and the respondent, as well as their respective Counsel.

4. The revision petitioner as well as the respondent / complainant are present before this Court today. The respondent/complainant affirmed the submission made by the learned Counsel for the petitioner as well as the Joint Compromise Memo, dated 18.02.2021. The respondent/complainant further submitted that he received the entire Cheque amount and he is not interested in prosecuting the case any further. The identity of the respondent/complainant is verified through the Aadhar Card, produced by him.

5. In view of the subsequent developments taken place and in view of the joint compromise memo dated 18.02.2021, this Court set aside the conviction and sentence, dated 30.03.2016 in C.A. No. 8 of 2015 passed by the learned Fast Track Mahila Court, Karur, which modified the Judgment of conviction and sentence passed by the Fast Track Court (Magistrate Level), Karur, in C.C. No. 463 of 2013, dated 22.01.2015.

6. In fine, this Criminal Revision Case is allowed and the petitioner is acquitted of the charge framed against him. Fine amount, if any paid, shall be refunded. Bail bonds, if any executed, shall stand terminated.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

ENCL:Xerox Copy of Joint Compromise Memo

To

1. The Sessions Judge,
Fast Track Mahila Court, Karur.
2. do-thro The Principal Sessions Judge, Karur.
3. The Fast Track Court (Magistrate Level), Karur.
<https://hcservices.ecourts.gov.in/hcservices/>
4. Do-Thro The Chief Judicial Magistrate, Karur.



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

+1 CC to M/s.B.SARAVANANA, Advocate (SR-6523[F] dated 22/02/2021)

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Crl.RC (MD) No.262 of 2016
18.02.2021

MJ (CO)
KB (26.02.2021) 3P 7C