



BAIL SLIP

Crl.R.C. (MD)No.347 to 362 of 2017 and 372 and 373 of 2017

The 2nd Petitioner/2nd Appellant/2nd Accused Viz.,
A.L.Ramachandra, Managing Director, M/s.VTX Industries Limited,
No.10/400, Palghat Road, Kuniamuthur, Coimbatore - 641 008, was
directed to be released on bail as per order of this Court made in
CRL MP(MD) Nos.3382, 3383, 3384, 3385, 3386, 3387, 3388, 3389,
3390, 3391, 3392, 3393, 3394, 3395, 3396, 3397, 3398, 3399, 3400,
3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411,
3412, 3413, 3466, 3467, 3468 and 3469 of 2017 in CRL RC(MD)Nos.347
to 362 of 2017 and 372 and 373 of 2017 dated 01/09/2017.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 11.02.2021

PRONOUNCED ON : 17.02.2021

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.347 to 362 of 2017 and 372 and 373 of 2017

1.M/s.VTX Industries Limited,
Represented by its Managing Director,
Mr.A.L.Ramachandra,
No.10/400, Palghat Road,
Kuniamuthur, Coimbatore - 641 008.

2.A.L.Ramachandra,
Managing Director,
M/s.VTX Industries Limited,
No.10/400, Palghat Road,
Kuniamuthur, Coimbatore - 641 008.

: Petitioners in all CRL RCs

Vs.

M/s.Thiagarajar Mills Private Limited,
Kappalur, Madurai 625 008.
represented by its General Manager,
(Finance)P.Sampathkumar.

: Respondents in all CRL RCs

Prayer: Criminal Revision Cases are filed under Section 397 (1)
r/w 401 of Cr.P.C, to call for the records and set aside the
judgments made in C.A.Nos. 30, 63, 31, 64, 32, 65, 33, 70, 35, 66,
36, 67, 68, 37, 38, 69, 34 and 71 of 2016 on the file of the VI
Additional District and Sessions Judge, Madurai, dated 22.12.2016
and the judgments passed in S.T.C.Nos.1774, 1775, 1776, 1867,
1805, 1806, 1807, 1866, 1868 of 2012, on the file of the learned
Fast Track Court at Magisterial Level No.I, Madurai, dated
13.05.2016



For Petitioners : Mr.J.Senthil Kumar
(in all cases)

For Respondent : Mr.K.Sundaravel,
(in Crl.R.C(MD)Nos.347, 349, 351, 353,
355, 357, 360, 361 and 372 of 2017)

For Respondent : Mr.C.Mahadevan,
for Mrs.A.L.Gandhimathi.

(in Crl.R.C(MD)Nos.348, 350, 352, 354,
356, 358, 359, 362 and 373 of 2017)

COMMON ORDER

These Criminal Revision Cases filed under Section 397 r/w 401 of Cr.P.C, are directed against the judgments passed in C.A.Nos.30, 63, 31, 64, 32, 65, 33, 70, 35, 66, 36, 67, 68, 37, 38, 69, 34 and 71 of 2016, dated 22.12.2016, on the file of the VI Additional District and Sessions Judge, Madurai, which in turn, are filed against the judgments of conviction passed in S.T.C.Nos.1774, 1775, 1776, 1867, 1805, 1806, 1807, 1866, 1868 of 2012, dated 13.05.2016, on the file of the Court of the Judicial Magistrate No.I, (Fast Track Court) Magisterial Level, Madurai.

2.For the sake of convenience and brevity, the parties will hereinafter be referred as per their status/ranking before the trial Court.

3.The complainant/ M/s.Thiagarajar Mills Private Limited, Kappalur, Madurai has filed nine private complaints under Sections 138 and 142 of Negotiable Instruments Act against the accused in S.T.C. Nos. 1774, 1775, 1776, 1867, 1805, 1806, 1807, 1866, 1868 of 2012. The learned Magistrate, after trial, has passed the judgment of conviction on 13.05.2016 convicting the second accused in his personal capacity of Managing Director of the first accused Company under Section 138 r/w 142 of Negotiable Instruments Act and was sentenced to undergo one year simple imprisonment and also to pay a compensation of Rs.60 lakhs within two months from the date of passing of the judgment. Aggrieved by the said judgments of conviction and sentence imposed, the accused have preferred appeals in C.A.Nos.30, 31, 32, 33, 35, 36, 37, 38 and 34 of 2016, on the file of the VI Additional District and Sessions Judge, Madurai. Not satisfied with the punishment imposed, the complainant has also preferred appeals in C.A.Nos.63, 64, 65, 70, 66, 67, 68, 69 and 71 of 2016, on the file of the VI Additional District and Sessions Judge, Madurai, seeking enhancement of the



punishment.

4.The learned Appellate Judge, upon perusing the evidence and hearing the arguments has passed nine common judgments combining the appeal preferred against the judgment of conviction by the accused and the appeal seeking enhancement of compensation filed by the complainant and dismissed all the appeals filed by the accused, thereby confirming the judgments of conviction passed by the trial Court and allowed all the appeals filed by the complainant, thereby enhancing the punishment imposed by the trial Court.

5.It is further evident that the Appellate Court has enhanced the period of imprisonment from one year to two years and also enhanced the compensation amount from Rs.60 lakhs to Rs.90 lakhs. Aggrieved by the judgments of the Appellate Court in all the appeals, the accused have come forward with the present revisions.

6.When the matters were taken up for hearing, the learned counsel for both sides represented that the parties have arrived at compromise and that they have filed a memo of compromise incorporating the terms therein. In the compromise memo, it has been stated that the parties have entered into a compromise agreement through notarized unregistered document, dated 29.09.2020, that as per the compromise agreement, the complainant has come forward to 'not press' all the cases pending against the revision petitioners pending before the various Court, tribunals and forums and also agreed to not press with the execution of the sentence of arrest proceedings against the second accused, who is ex.Managing Director of the first accused, which is in now under liquidation, upon the receipt of the payment of Rs.1 Crore through demand draft and that the petitioner's wife assured to pay remaining Rs.3 Crore on or before 29th September 2022.

7.It is further stated in the compromise memo that the complainant resolved not to proceed with these cases and undertakes not to proceed with these cases further at any point of time against the accused and that the compromise memo may be accepted and the entire proceedings pending on the file of this Court are to be quashed.

8.The learned counsel for the complainant would admit the compromise entered into between the parties and the filing of compromise memo before this Court. It is evident from the compromise memo that both the complainant and the accused have subscribed their signatures along with their counsel on records.



9.Records perused. The Joint Compromise Memos filed by both parties are recorded.

10.In view of the above, the offence under Sections 138 of the Negotiable Instruments Act stands compounded under Section 147 of the said Act and the accused are acquitted from all the charges levelled against them in all of the nine cases. Consequently, these Criminal Revision Cases are allowed and the judgments of the trial Court and the Appellate Court are set aside. Bail bond if any, executed by the accused shall stand discharged.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Das

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO (IN ALL CASES) .

To:

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

2.The Fast Track Court at Magisterial Level No.I,
Madurai.

3.The Chief Judicial Magistrate, Madurai.

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

+2 CC to M/s.J.SENTHIL KUMAR, Advocate (SR-6129, 6130[F] dated 19/02/2021)

Crl.R.C.(MD)No.347 to 362 of 2017 and 372 and 373 of 2017
17.02.2021

SV2 (CO)

TR(02.03.2021) 4P 8C