



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2021

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Cr1.R.C(MD).No. 631 of 2017 and
Cr1.M.P(MD).No. 7136 of 2017

M. Chellampillai : Petitioner/Appellant/Accused

Vs.

M. Arun kumar : Respondent/Respondent/Complainant

PRAYER:- Criminal Revision filed under Section 397 and 401 Cr.P.C., against the Judgment dated 13.07.2016 made in C.A.No.38 of 2015 on the file of Mahila Court / Sessions, Karur, confirming the conviction of the petitioner under Section 138 of Negotiable Instruments Act and modifying the sentence into 3 months simple imprisonment from the simple imprisonment of 6 months imposed by the Fast Track Court at Magisterial Level of Karur by his Judgment of conviction and sentence dated 06.06.2015 made in C.C.No.530 of 2014.

For Appellant : Mr.V. Janakiramulu
For Respondent : No appearance

ORDER

This Criminal Revision is directed against the concurrent Judgment of conviction passed in C.A.No. 38 of 2015 on the file of the Sessions Court, Karur confirming the Judgment of conviction passed in C.C.No. 530 of 2014, dated 06.06.2015 on the file of the Fast Track Court, Magisterial Level of Karur.

2. It is seen from the records that though the respondent / complainant has been served, he has not turned up. Though the name of the respondent is printed in the cause list, there is no appearance on his behalf.

3. The learned counsel appearing for the revision petitioner has filed a copy of the receipt given by the respondent / complainant for receiving the agreed amount of Rs.1,25,000/- towards full satisfaction. Since the respondent has not appeared before this Court, the petitioner has not chosen to file an application for compounding the offence.



4. Since the agreed amount of Rs.1,25,000/- has been paid towards full and final settlement of the claim of the respondent / complainant, the sentence imposed on the revision petitioner is liable to be set aside. Accordingly, the Criminal Revision Case is partly allowed. It is clarified that the result of the criminal revision will not operate as disqualification or to the prejudice of the petitioner in respect of his right as pensioner. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

1. The Sessions Judge,
Mahila Fast Track Court, Karur.

2. The Judicial Magistrate,
Fast Track Court at Magistrial Level, Karur.

+1 CC to M/s.V.JANAKIRAMULU, Advocate (SR-14917[F] dated 31/03/2021)

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Dks (CO)

TR(23.04.2021) 2P 4C