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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat-I organised by the High Court Legal Services Committee

Friday, the 14th day of October, 2022

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE M.JEYAPPAUL (Retd.)

and

Member

Mr.P.Ganesan, District Judge (Retd)

Crl.R.C.No.337 of 2021

(This Criminal Revision Petition is filed against the judgment passed by the learned Judicial Magistrate (Fast Track Court), Hosur in STC.No.43 of 2016, dated 17.07.2019 which was later confirmed in appeal by the learned Additional District Judge, Hosur in Crl.A.No.35 of 2019 dated 03.12.2020.)

H.Iyappan

.. Petitioner

Vs.

C.Boopathy

.. Respondent

On representation of counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.V.Rajamohan, learned counsel for the Petitioner and Mr.E.Kannadasan, learned counsel for the respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



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TERMS OF SETTLEMENT

Both the parties along with their respective counsel were present.

2. The case filed by the respondent/complainant under Section 138 of the Negotiable Instruments Act ended in conviction both by the Trial Court as well as by the Lower Appellate Court. The cheque amount was Rs.3,26,000/-. The Joint memo of compromise was filed by both the parties and the same was taken on file by the Lok Adalat.

3. In terms of joint memorandum of compromise filed by both the parties, three drafts for the total sum of Rs.3,26,000/- were handed over by the petitioner/accused to the respondent/complainant, having already paid a sum of Rs.2,00,000/- to the complainant as on 28.09.2022 towards interest as well as litigation expenses.

4. In terms of the compromise, the petitioner/accused is entitled to receive back the sum of Rs.65,200/- which were deposited by him in terms of the direction issued by the Appellate Court, even without issuing any notice to the respondent/complainant.



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5. In view of the above compromise arrived at between the parties, the offence under Section 138 of the Negotiable Instruments Act stands compoundable and as a result, the conviction recorded not only by the Trial court but also by the First Appellate Court stands set aside and as a result, the petitioner/accused is hereby acquitted of the aforesaid offence. Consequently, this Criminal Revision Case stands allowed.

H.Iyappan

Counsel for the Petitioner

C.Boopathy

Counsel for the respondent

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

M.JEYAPPAUL (Retd.)



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To

The parties/Advocate concerned

Copy to:

1. The Judicial Magistrate (Fast Track Court), Hosur.
2. The Additional District Judge, Hosur.
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras + 2 copies

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14.10.2022