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Crl.R.C.No.825 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.12.2022

CORAM :

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.R.C.No.825 of 2022

and

Crl.M.P.No.19122 of 2022

M/s.Sri Balamurugan Transport,
by its Proprietor-Raja,
No.4/113, East Coast Road, (Near Indian Bank),
Neelangarai,
Chennai-600 115.

.. Petitioner

Vs.

M/s.SLT Cement Marketers Private Ltd,
Rep.by its Authorized Officer,
K.Chandrasekar,
No.100, 15th Cross Street,
Senthil Nagar,
Kolathur,
Chennai-600099.

..Respondent

PRAYER : Criminal Revision Case has been filed under sections 397 read with 401 of Criminal Procedure Code to set aside the order dated 20.04.2022, made in Crl.A.No.72 of 2020, on the file of XXIII Additional Sessions Court at Allikulam, Chennai by confirming the order dated 12.02.2020 made in C.C.No.9447/2018 on the file of Metropolitan Magistrate, [Fast Track Court No.2], Egmore, Allikulam.

For Petitioner : Mr.R.Ramesh
For Respondent : Mr.G.Ponnambala Thiyagarajan



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ORDER

This Criminal Revision Case has been filed against the order in Crl.A.No.72 of 2020, dated 20.04.2022 passed by the XXIII Additional Sessions Court, Allikulam, Chennai, confirming the order dated 12.02.2020 made in C.C.No.9447/2018 on the file of the learned Metropolitan Magistrate, [Fast Track Court No.2], Egmore, Allikulam.

2. The complainant prosecuted the accused for the offence punishable under Section 138 of Negotiable Instruments Act. The trial Court, after considering the oral and documentary evidence convicted the accused and sentenced him to undergo one year Simple Imprisonment with a direction to pay the cheque amount as compensation to the complainant, in default to undergo three months Simple Imprisonment.

3. Aggrieved by this order, the accused filed appeal in Crl.A.No.72 of 2020 before the XXIII Additional Sessions Court, Allikulam, Chennai. The Appellate Court dismissed the appeal by its judgment dated 20.04.2022 and confirmed the judgment of the trial Court.



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Aggrieved by the same, the present Criminal Revision Case has been filed.

4. When the Criminal Revision Case is pending, the petitioner/accused and the respondent/complainant have decided to settle the dispute and entered into compromise, both the parties are present before this Court and acknowledged the execution of Joint Memo of Compromise dated 29.09.2022, in which the respondent/complainant admitted that the accused has paid a sum of Rs.2,19,900/- on 27.09.2022. In this regard, both the parties and their respective counsel were signed in the Joint Compromise Memo.

5. Considering the Compromise entered into between the parties and since the offence is compoundable offence, ***this Criminal Revision Case is closed as offence compounded.*** Accused is acquitted. Consequently, the connected Crl.M.P.No.19122 of 2022 is closed.

20.12.2022

Index: Yes/No
rpl

V.SIVAGNANAM, J.

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To
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1. The XXIII Additional Sessions Court, Allikulam, Chennai
2. The Metropolitan Magistrate, [Fast Track Court No.2], Egmore, Allikulam.

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20.12.2022