



Crl.RC No.1222 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2022

CORAM

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

Crl.RC No.1222 of 2017

Madhavan

... Petitioner/Appellant /Accused

-Vs.-

Gunasekaran

..Respondent/Respondent/Complainant

Prayer :- Criminal Revision Petition filed under Section 397 and 401 of Code of Criminal Procedure to call for the records and set aside the common order passed by learned Principal Session Judge, Salem was pleased to retain the sentence imposed by the Learned Judicial Magistrate, No.4, Salem in STC No.414 of 2009 dated 30.07.2013 by his order passed in Crl.A.No.79 of 2013 and enhance the fine amount of Rs.5,000/- to Rs.20,00,000/- failing which the petitioner was directed to undergo 3 months rigorous imprisonment further direction to pay the fine amount to the respondent / complainant as compensation as per Section 357(3) of Cr.PC if the petitioner paid the fine amount by allowing the C.R.P No.56 of 2013 by its common order dated 21.06.2017 and acquit the petitioner herein by allowing this criminal revision petition.

For Petitioner : Mr.S.N.Thangaraj

For Respondent : Mr.T.Nixon



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ORDER

This Criminal Revision petition is filed against the concurrent findings of the Court below holding the petitioner guilty for an offence under Section 138 of the Negotiable Instrument Act. This petition has been filed to record the compromise and compound the offence under Section 147 of the Negotiable Instrument Act. Both the petitioner and the respondent have signed the joint memo dated 30.09.2022 and parties are also present before this Court acknowledging the execution of the joint compromise memo. Recording the same, this Criminal Revision petition is allowed. Accordingly, the criminal complaint in STC No.414 of 2009 is disposed as compounded. Since as per the compromise Rs.5,00,000/- deposited by the Accused / petitioner herein in the account of STC No.414 of 2009 is permitted to be withdrawn by the complainant.

30.09.2022

Speaking/Non-speaking order
Index: Yes/No
Internet : Yes/No
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1. The Principal Session Judge, Salem
2. The Judicial Magistrate, No.4, Salem
3. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN.J.,

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