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Crl.RC.1434 of 2022
and
Crl.M.P.No.16727 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.1434 of 2022

and

Crl.M.P.Nos. 15972, 15973 & 16727 of 2022

K.Sivasubramanian

...Petitioner/Appellant/Accused

Vs.

D.Nandakumar

...Respondent/Respondent/Complainant

The Criminal Revisions filed under Section 397 read with 401 of Code of Criminal Procedure seeking to call for the records and set aside the Judgment in Crl.A.No.174 of 2019 dated 26.07.2022 passed by the learned XX Additional Sessions Judge, City Civil Court, Chennai and confirming the Judgment made in C.C.No.2158 of 2017 dated 27.11.2018 passed by the learned XX Metropolitan Magistrate, Chennai and set the petitioner at liberty.

For Petitioner : Mr.D.Bharathy



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ORDER

This criminal revision is preferred against two concurrent judgments of the Courts below convicting the petitioner for offence under Sections 138 and 142 of Negotiable Instruments Act and sentencing him to undergo simple imprisonment for a period of three months and to pay fine of Rs.1000/- in default, to undergo simple imprisonment for a further period of one month and Rs.1,00,000/- to be paid as compensation under Section 357 Cr.P.C., to the Complainant by order dated 27.11.2018 in C.C.No.2158 of 2017.

2. When the matter is called, both the learned counsel for the petitioner as well as the respondent informed that a settlement has been reached between the parties. A joint memo of compromise has also been filed by the petitioner/accused informing that the matter has been compromised between him and the respondent/complainant and this Court may set aside the conviction rendered by the trial Court in C.C.No.2158 of 2017 dated 27.11.2018 and as confirmed by the learned XX Additional Sessions Judge, City Civil Court, Chennai, by judgment dated 26.07.2022 made in



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3 Though the offence under Sections 138 and 142 of the Negotiable Instruments Act are compoundable, taking into consideration the joint memo of compromise filed by the petitioner/accused and the respondent/complainant, this Court records compounding of offence under Section 138 of the Negotiable Instruments Act. Accordingly, ***this Criminal Revision Case shall stand allowed*** and the offence under Section 138 of Negotiable Instruments Act tried in C.C.No.2158 of 2017, on the file of the learned XX Metropolitan Magistrate, Chennai, shall stand compounded. Consequently connected miscellaneous petitions are closed.

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Index : Yes/No
Internet : Yes/No
dh



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To

1. The learned XX Additional Sessions Judge,
City Civil Court, Chennai.
2. The learned XX Metropolitan Magistrate,
Chennai.



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P.VELMURUGAN, J.,

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