

BAIL SLIP

The Petitioner/Accused viz., A.Muthiah, S/o.Arumuga Thevar was directed to be released on bail as per the order of this Court dated 03.07.2017 in Crl.M.P.No.8224 of 2017 in Crl.R.C.No.881 of 2017 and Crl.M.P.No.8222 of 2017 in Crl.R.C.No.880 of 2017 on the file of the High Court.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL.R.C.NOS.880 AND 881 OF 2017

AND

C.M.P.NOS.7854 AND 7856 OF 2022

A.Muthiah

...Petitioner in both Crl.RCs

Vs

M/s.Sree Gokulam Chit & Finance Co.Pvt.Ltd.,
Represented by Legal Assistant:
Mr.Kamala Kannan,
S/o.Uvaraj
Sree Gokulam Towers,
No.66, Arcot Road,
Kodambakkam,
Chennai - 600 024.

... Respondent in both Crl.RCs

Prayer in Crl.R.C.No.880 of 2017:- Criminal Revision petition has been filed, under Section 397 r/w 401 of Cr.P.C, to allow the appeal by setting aside the conviction and payment of compensation passed in C.C.No.898 of 2011 dated 02.06.2016 passed by the Learned Fast Track Court No. III Metropolitan Magistrate, Saidapet, Chennai - 600 015 confirmed in C.A.No.188 of 2016, XVI Additional Sessions Judge, Chennai.

Prayer in Crl.R.C.No.881 of 2017:- Criminal Revision petition has been filed, under Section 397 r/w 401 of Cr.PC, to allow the revision by setting aside the conviction and payment of

compensation passed in C.A. No.187/2016 dated 26.04.2017 passed by the Learned XVI Additional Sessions Judge, XVI Additional City Civil Court, Chennai confirming the sentence and compensation passed in C.C.No. 897 of 2011 dated in 02.06.2016 passed by the Metropolitan Magistrate, Fast Track Court - III, Saidapet, Chennai.

For Petitioner : Mr.S.Selvaraj
in Both CrI.R.Cs

For Respondent : Mr.L.Rajasekar
in Both CrI.R.Cs

COMMON ORDER

These Criminal Revision Cases have been preferred against the Judgements passed in C.A.Nos. 187 and 188 of 2016 dated 26.04.2017 passed by the learned XVI Additional Sessions Judge, City Civil Court, Chennai confirming the sentence and direction to pay compensation passed in C.C.Nos.897 and 898 of 2011 dated 02.06.2016 passed by the Metropolitan Magistrate, Fast Track Court- III, Saidapet, Chennai.

2.The learned counsel for the petitioner/Accused submitted that during the pendency of these revisions, this Court in a connected Writ Petition No.6071 of 2014 had directed the parties to appear before the District Mediation Centre, to explore the possibility of amicable settlement. He further submitted that the Mediation took place and the parties had arrived at a settlement. He also submitted that the payment was made to the complainant as per the terms of the Memo of Compromise dated 17.03.2019 filed in W.P.No.6071 of 2014. One M.Jeelani Basha, the Assistant Legal Manager in the respondent Company has filed an affidavit dated 30.03.2021 in both the revisions to the effect that the cheque amounts were settled in terms of the Compromise Memo.

3.The copy of the Compromise Memo dated 17.10.2019 has been filed, which confirms the fact that the matter has been settled between the parties in both the above mentioned Criminal Revision Cases.

4.In view of the settlement arrived at between the parties, this Court allows the compounding of the offence under Section 138 of Negotiable Instrument Act. Consequently, the Judgement of conviction and payment of compensation passed in C.A.Nos. 187 and 188 of 2016 dated 26.04.2017 passed by the learned XVI

Additional Sessions Judge, City Civil Court, Chennai confirming the sentence and direction to pay compensation passed in C.C.Nos.897 and 898 of 2011 dated 02.06.2016 passed by the Metropolitan Magistrate, Fast Track Court- III, Saidapet, Chennai are hereby set aside and the accused is set at liberty.

5.Accordingly, these Criminal Revisions are allowed. The bail bond if any executed by the petitioner/accused shall stand cancelled. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dk

To:

1. The Fast Track Court No. III
Metropolitan Magistrate, Saidapet, Chennai.
2. The XVI Additional Sessions Judge, Chennai.
3. The Public Prosecutor, High Court, Madras.

Copy To

The Section Officer,
Criminal Section,
High Court, Madras.

+2ccs to M/s.L.Rajasekar, Advocate, S.R.Nos.39547, 39548

Crl.RC.Nos.880 & 881 of 2017
and C.M.P.Nos.7854 and 7856 of 2022

RR(CO)
RLP(25/07/2022)