



Crl.R.C.No.309 of 2020

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 12th November, 2022

NATIONAL LOK ADALAT AWARD

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

Presided over by:- The Hon'ble Mr.JUSTICE G.K.ILANTHIRAIYAN

Members:- (1) Mr. K.Ramakrishnan, M.A., LL.M., District Judge (Retd.)
(2) Ms. V.Vijayalakshmi, Advocate

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(Civil Revision against the order of the learned III Additional District and Session Judge, Thiruvallur at Poonamallee in Criminal Appeal No.179 of 2018, dated 21.10.2019, which is conformed in Order dated 11.09.2018, in S.T.C.No.113 of 2017 and on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level-II), Poonamallee.)

V.Ramadoss

Petitioner

Vs.

A.M.Narayanababu

Respondent

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.V.Venkatesan**, the learned counsel for the Petitioner and **Mr.D.Bharathy**, the learned counsel for the Respondent are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

1. This Appeal is arising out of the judgment dated 21.10.2019 passed in Crl.A.No.179 of 2018 on the file of the learned III Additional District and Sessions Judge, Thiruvallur, Poonamallee, confirming the judgment dated 11.09.2018 passed in S.T.C.No.113 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level-II) Poonamallee, thereby convicting the petitioner for the offence under Section 138 of the Negotiation Instruments Act.
2. In order to settle the legally enforceable debts, the petitioner issued cheque for a sum of Rs.1,40,000/- and the same was presented for collection and it was returned dishonoured for the reason that insufficient funds. After causing statutory notice, the respondent lodged the present appeal.
3. On the side of the respondent he himself examined as P.W.1 and marked documents as Ex.P.1 to Ex.P.4. On the side of the respondent, no one was examined and no documents were marked. On a perusal of the oral and documentary evidence, the trial Court found the guilt of the petitioner for the offence under Section 138 of the NI Act and also sentenced him to undergo 12 months simple imprisonment and awarded compensation of the cheque amount. Aggrieved by the same, the petitioner preferred an appeal and the same was also dismissed and confirmed the judgment passed by the trial Court, as against which the present revision.



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4. While pending the revision, this matter was referred to National Lok Adalath today and both the parties represented that they settled the issue amicably. It is represented that the petitioner already deposited a sum of Rs.70,000/- before the trial Court and the petitioner settled the remaining amount of Rs.42,000/- by way of Demand Draft bearing No.059249 dated 10.11.2022 drawn at Canara Bank, Anna Nagar West Branch, Chennai. He also no objection to withdraw the amount already deposited by the petitioner to the credit of S.T.C.No.113 of 2017
5. In view of the above, the conviction and sentence imposed on the petitioner by the Courts below are hereby set aside and the petitioner is acquitted from all the charges. The respondent is permitted to withdraw amount lying in the trial Court in S.T.C.No.113 of 2017. The trial Court is directed to permit the respondent to withdraw the deposited amount without ordering any notice to the petitioner
6. Accordingly, the Criminal Revision Petition stands allowed.

V.Ramadoss

Counsel for the Petitioner

A.M.Narayanababu

Counsel for the Respondent

This National Lok Adalat Award is passed in terms of the above settlement. The Court fee paid shall be refunded to the parties in the manner provided under 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

MEMBER

To: The Parties/Advocates concerned.
Copy to:

- 1.The III Additional District and Sessions Judge, Thiruvallur, Poonamallee.
- 2.The Judicial Magistrate, Fast Track Court (Magisterial Level-II) Poonamallee,
- 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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12.11.2022