



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.R.C. (MD)No.285 of 2019
and
Crl.M.P(MD)No.2172 of 2022

A.Thangaiyan ... Petitioner/Appellant/Accused

Vs.

Lenin ...Respondent/Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the judgment and conviction dated 14.02.2019 passed by the learned 3rd Additional District and Sessions Judge, Thanjavur @ Pattukottai in Crl.A.No.58 of 2018, by which confirming the judgment and conviction order passed by the learned Judicial Magistrate/Fast Track Court, Pattukottai, Thanjavur District in S.T.C.No.74 of 2016, by its judgment dated 12.06.2018, and acquit the petitioner/accused.

For Petitioner : Mr.S.Deenadhayalan

For Respondent : Mr.T.K.Gopalan

O R D E R

The petitioner was convicted for the offence punishment under Section 138 of Negotiable Instruments Act in S.T.C.No.74 of 2016 by the judgment, dated 12.06.2018 on the file of the learned Judicial Magistrate/Fast Track Court, Puttukottai. He was sentenced to undergo six months simple imprisonment and also imposed compensation of Rs.8,00,000/- (Rupees Eight Lakhs only) in default to undergo three months simple imprisonment.

2. Aggrieved by the same, the petitioner has preferred an appeal before the III Additional District Sessions Court, Thanjavur at Pattukottai in Crl.A.No.58 of 2018. The said conviction and sentence was confirmed by the appellate Court vide judgment, dated 14.02.2019. As against the said judgment, the petitioner has preferred this revision before this Court.

3. While pending revision, the petitioner and the respondent have entered into compromise and the petitioner has settled the entire cheque amount along with interest to the respondent herein. Accordingly, they entered memorandum of compromise, dated 25.01.2022 and the same has been produced before this Court.



4. The learned counsel for the respondent also confirmed that the entire cheque amount along with interest, has been received by the defacto complainant.

5. In view of the above, this Criminal Revision Case is allowed by setting aside the judgment passed by the learned 3rd Additional District and Sessions Judge, Thanjavur @ Pattukottai in Crl.A.No.58 of 2018, confirming the judgment passed by the learned Judicial Magistrate/Fast Track Court, Pattukottai, Thanjavur District in S.T.C.No.74 of 2016. The petitioner is acquitted. The joint compromise memo shall form part and parcel of this order. The revision petitioner is directed to be released forthwith, unless he is required in connection with any other case. In view of the order passed in Crl.R.C.(MD)No.285 of 2019, Crl.M.P(MD)No.2172 of 2022 is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Am

To:

1.The 3rd Additional District and Sessions Judge,
Pattukottai,
Thanjavur District.

2.The Judicial Magistrate/Fast Track Court,
Pattukottai, Thanjavur District.

3.The Superintendent,
Central Prison,Trichirappalli.

4.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,Madurai.

+1 CC to M/s.S.DEENADHAYALAN, Advocate(SR-6034[F] dated
14/02/2022)

Crl.R.C. (MD) No.285 of 2019

10.02.2022

MGJ(14.02.2022) 2P 7C