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Crl.R.C.No.100 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.03.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.R.C.No.100 of 2020

K.Ranjithkumar

.. Petitioner

Vs.

M/s.Eureka System and Electrodes Pvt.Ltd.,
Rep.by the Authorized Sales Manager,
Habimanyu,
No.11/15A, Sinthamani Puthur,
Selvarahanpuram, Sulur Taluk,
Coimbatore.

..Respondent

PRAYER : Criminal Revision Case has been filed under sections 397 read with 401 of Criminal Procedure Code to set aside conviction order passed in the Crl.A.No.482 of 2018 on the file of the I Additional District and Sessions Judge, Coimbatore confirming the trial Court order in C.C.No.325 of 2015 on the file of the Judicial Magistrate, Fast Track Court No.2, Coimbatore by allowing this Criminal Revision Petition and acquit the petitioner.

For Petitioner : Mr.S.Silambu Selvan



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ORDER

The complainant, M/s.Eureka System and Electrodes Private Limited, Coimbatore and the accused Ranjithkumar had trade relationship dealing with welding electrodes. In the course of the business to discharge the credit purchase, the accused has given two cheques dated 16.07.2012, one for Rs.1,00,000/- and another for Rs.1,94,319/-, but on presentation both the cheques bounced. After causing statutory notice, a criminal complaint has been filed under Section 138 of Negotiable Instruments Act.

2. The learned Judicial Magistrate No.II, Coimbatore has taken cognizance of the complaint in C.C.No.325 of 2015. After examining the complainant and appreciating the evidence both oral and document, convicted the accused to undergo 6 months Simple Imprisonment and pay the cheque amount of Rs.2,94,319/- with 6% interest from the date of cheque and ordered the compensation within one month from today, in default to undergo S.I., for 3 months.

3. On appeal by the complainant, the lower Appellate Court in



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C.A.No.482 of 2018 vide order dated 31.10.2019 confirmed the judgment of conviction and sentence of the Court below. Aggrieved by the concurrent findings of the Courts below, both on guilty and sentence, the Criminal Revision Case No.100 of 2020 has been preferred by the accused/Ranjithkumar.

4. Pending revision petition, the parties have arrived at settlement and decided to revive their business relationship after discharging the cheque amount, accordingly, today the complainant has filed an affidavit stating that he has no objection to allow the Criminal Revision Case pending against the petitioner, since the accused has paid the cheque amount and compromise for better business relationship. Both the accused/revision petitioner and the representative of the M/s.Eureka System and Electrodes Pvt.Ltd., are present before this Court. Intention of the parties to settle the dispute is confirmed from them and necessary endorsement made in the revision petition by the parties.

Dr.G.JAYACHANDRAN, J.



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5. In view of the above compromise, this Criminal Revision

Case is allowed as offence compounded.

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Internet : Yes/No

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To

1.The I Additional District and Sessions Judge, Coimbatore

2. The Judicial Magistrate, Fast Track Court No.2, Coimbatore.

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