



Crl RC .Nos.949 to 951 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl RC Nos.949 to 952 of 2016

Mrs.Arivukodi

..Petitioner /Accused in all Crl RCs

Vs.

T.Viswanathan (Deceased)

1. Smt. V.Latha
2. Sri V Vishal
3. Sri V Vinoth

[Sl.No.1 to 3 are at old No.123,
New No.4/16, Thiruvankadayya First street,
Villivakkam, Chennai 600 049]

[R1 to R3 impleaded as per order dated
13.09.2022 in Crl MP No.1780 of 2022 in
Crl RC No.949 of 2016] ... Respondent /

Complainant in all Crl RCs

**Prayer in Crl RC No.949 of 2016 : Criminal Revision case is filed
under Section 397 (1) r/w 401 of Cr.PC to call for the records**



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pertaining to C.A.No.134 of 2014 on the file of the XVIII Additional Sessions Judge, Chennai and set aside the order passed in the above C.A.No.134 of 2015 dated 14.06.2016 confirming the conviction and sentence passed by the Fast Track Court I, Metropolitan Magistrate Court, Egmore, at Chennai and consequently, set aside the order of conviction and sentence passed in C.C.No.3426 of 2011 dated 09.06.2015 by the Fast Track Court - I, Metropolitan Magistrate Court, Egmore at Chennai.

Prayer in Crl RC No.950 of 2016 : Criminal Revision case is filed under Section 397 (1) r/w 401 of Cr.PC to call for the records pertaining to C.A.No.133 of 2015 on the file of the XVIII Additional Sessions Judge, Chennai and set aside the order passed in the above C.A.No.133 of 2015 dated 14.06.2016 confirming the conviction and sentence passed by the Fast Track Court I, Metropolitan Magistrate Court, Egmore, at Chennai and consequently, set aside the order of conviction and sentence passed in C.C.No.4055 of 2011 dated 09.06.2015 by the Fast Track Court - I, Metropolitan Magistrate Court, Egmore at Chennai.

Prayer in Crl RC No.951 of 2016 : Criminal Revision case is filed under Section 397 (1) r/w 401 of Cr.PC to call for the records pertaining to C.A.No.135 of 2015 on the file of the XVIII Additional



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Sessions Judge, Chennai and set aside the order passed in the above C.A.No.135 of 2015 dated 14.06.2016 confirming the conviction and sentence passed by the Fast Track Court I, Metropolitan Magistrate Court, Egmore, at Chennai and consequently, set aside the order of conviction and sentence passed in C.C.No.3330 of 2010 dated 09.06.2015 by the Fast Track Court - I, Metropolitan Magistrate Court, Egmore at Chennai.

Prayer in Crl RC No.952 of 2016 : Criminal Revision case is filed under Section 397 (1) r/w 401 of Cr.PC to call for the records pertaining to C.A.No.132 of 2015 on the file of the XVIII Additional Sessions Judge, Chennai and set aside the order passed in the above C.A.No.132 of 2015 dated 14.06.2016 confirming the conviction and sentence passed by the Fast Track Court I, Metropolitan Magistrate Court, Egmore, at Chennai and consequently, set aside the order of conviction and sentence passed in C.C.No.3331 of 2010 dated 09.06.2015 by the Fast Track Court - I, Metropolitan Magistrate Court, Egmore at Chennai.

For Petitioner : V.Govindaraj
in all Crl RCs
For Respondent : Mr.R.S.Mangala Kumar
in all Crl RCs for R2 to R4



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ORDER

These Criminal Revision cases were filed against the judgement and order passed by the Fast Track Court I, Metropolitan Magistrate Court, Egmore, convicting and sentencing the petitioner for offence under Section 138 of the Negotiable Instruments Act, which was confirmed in the appeal by the XVIII Additional Sessions Court at Chennai.

2. When the matter came up for hearing on 21.02.2023, this Court passed the following order:-

It was brought to the notice of this Court that the parties had arrived at a settlement and the petitioner/accused was willing to pay a total sum of Rs.6,00,000/- in full quits. Out of this amount, a sum of Rs.5,00,000/- (Rupees Five Lakhs only) had already been paid and the same was also acknowledged by the learned counsel for the respondent/complainant. Out of the balance amount of Rs.1,00,000/-(Rupees One Lakh only), a sum of Rs.50,000/- (Rupees Fifty Thousand only) is tendered today and the learned counsel for the petitioner/accused seeks for some



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more time to pay the remaining balance of Rs.50,000/- (Rupees Fifty Thousand only).

2.Considering the fact that the parties have arrived at a settlement, this Court wants to give one more opportunity to the petitioner/accused to settle the balance amount. The sum of Rs.50,000/- (Rupees Fifty Thousand only) that was tendered by the petitioner/accused was received by the respondent/complainant, who was present in the Court, today.

3.Post this case under the caption 'For Reporting Settlement' finally on 13.03.2023. It is made clear that the balance amount of Rs.50,000/- (Rupees Fifty Thousand only) must be paid on or before the next date of hearing and settlement must be reported.

3. When the matter was taken up for hearing today, the learned counsel for the petitioner tendered the balance amount of Rs.50,000/-to the wife of the deceased respondent. By virtue of this payment, the entire amount has been settled and thereby, the parties have reached a compromise. The learned counsel for respondent submitted that he leaves it to this Court to pass



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appropriate orders in these criminal revision cases.

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4. In view of the fact that the matter has been settled between the parties and the entire amount that was agreed, has been paid by the petitioner to the respondent, this Court is inclined to compound the offence and the judgements and orders convicting the petitioner for offence under 138 of the Negotiable Instruments Act and as confirmed by the Appellate Court, are hereby set-aside.

5. These Criminal revision cases are disposed of in the above terms. No costs.

09.03.2023

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order

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N. ANAND VENKATESH, J.

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To

The Fast Track Court I, Metropolitan Magistrate Court,
Egmore, at Chennai

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14.03.2023

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