



Crl.R.C.No.487 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.06.2023

CORAM :

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

Crl.R.C.No.487 of 2020

R.Karuppannan

.. Petitioner

Vs.

R.Rajamanickam

..Respondent

PRAYER : Criminal Revision Case has been filed under sections 397 read with 401 of Criminal Procedure Code to set aside the conviction imposed in judgment dated 13.03.2020 made in C.A.No.56 of 2019 on the file of the learned Principal Sessions Judge, Namakkal confirming the conviction imposed in the judgment dated 30.09.2019 made in S.T.C.No.349 of 2017 on the file of the Judicial Magistrate FTC, Tiruchengode by allowing this Criminal Revision petition.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr.G.R.Hari



Crl.R.C.No.487 of 2020

WEB COPY

ORDER

This Criminal Revision Case is directed against the concurrent findings of the Courts below holding the revision petitioner guilty for issuing a cheque for a sum of Rs.1,30,000/- without sufficient fund. The Courts below have held that the cheque has been given to discharge the existing liability, but without sufficient fund in the account, as a result, convicted the revision petitioner to undergo 6 months Simple Imprisonment and pay the cheque amount of Rs.1,30,000/- as compensation, in default one month Simple Imprisonment.

2. Aggrieved by that, the accused / revision petitioner preferred appeal before the Principal Judge, Namakkal in C.A.No.56 of 2019. The lower appellate Court found that the trial Court judgment is based on the evidence and grounds raised in the appeal are unsustainable. Hence the present Criminal Revision Case.

3. When the matter was taken up for consideration, the learned counsel appearing for the revision petitioner stated that the sentence



CrI.R.C.No.487 of 2020

imposed been modified instead of 6 months Simple Imprisonment, the compensation compounded of the sentence be revised and the revision petitioner is ready to pay a sum of Rs.1,30,000/- being the cheque amount.

4. The learned counsel appearing for the respondent submitted that after consulting her client / the respondent, she has been instructed by her client that he will be satisfied with the cheque amount of Rs.1,30,000/- paid as compensation.

5. In the light of the above fact, the revision petition is modified to the effect that the petitioner shall pay the cheque amount of Rs.1,30,000/- as compensation.

6. Today, the revision petitioner has produced a demand draft purchased in the name of the complainant Rajamanickam for a sum of Rs.1,30,000/- dated 07.06.2023 drawn on State Bank of India, Pallipalayam, Namakkal District. The said demand draft is handed over to the learned counsel for the respondent.



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Crl.R.C.No.487 of 2020

Dr.G.JAYACHANDRAN, J.

rpl

7. In view of the above fact, this Criminal Revision Case is disposed of.

09.06.2023

Internet : Yes/No

Index: Yes/No

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To

1.The Principal Sessions Judge, Namakkal.

2.The Judicial Magistrate FTC, Tiruchengode.

Crl.R.C.No.487 of 2020