



Crl.R.C.No.699 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 21.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

**Crl.R.C.No.699 of 2023 &
Crl.M.P.Nos.5431 & 5433 of 2023**

Sathish

... Petitioner

Vs.

Ramani

... Respondent

Prayer: Criminal Revision Petition filed under Section 397 and 401 of Cr.P.C to call for the records pertaining to the judgment dated 24.09.2019 in C.A.No.121 of 2018 passed by the learned IV Additional Sessions Judge, Ponneri, Thiruvallur District by confirming the Order of the learned Judicial Magistrate No.I, Ponneri in C.C.No.98 of 2014 dated 12.07.2018 and set aside the same by allowing the above Criminal Revision Petition.

For Petitioner : Mr.S.Sasikumar

For Respondent : Mr.K.Vijayakumar



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ORDER

This Criminal Revision Case has been filed to set aside the judgment dated 24.09.2019 passed by the learned IV Additional Sessions Judge, Ponneri, Thiruvallur District in Crl.A.No.121 of 2018, confirming the judgment dated 12.07.2018 passed by the learned Judicial Magistrate No.1, Ponneri, Thiruvallur District in C.C.No.98 of 2014.

2. The petitioner is the accused in C.C.No.98 of 2014 on the file of the Judicial Magistrate No.1, Ponneri, Thiruvallur District. The Trial Court convicted the petitioner under Section 138 of Negotiable Instruments Act and sentenced him to undergo one year rigorous imprisonment and also to pay a sum of Rs.6,00,000/- [Rupees six lakhs only] towards compensation to the respondent. Challenging the judgment of conviction and sentence, he preferred appeals in Crl.A.No.121 of 2018 before the IV Additional Sessions Judge, Ponneri, Thiruvallur District. The lower Appellate Court, vide judgments dated 24.09.2019 confirmed the judgment of conviction and sentence passed by the Trial Court. Therefore, the petitioner filed the



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present Criminal Revision Case.

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3. Today, when the matter is taken up for hearing, both the learned counsel for the petitioner as well as the respondent informed that, a settlement has been reached between the parties and the matter has been compromised between the petitioner/accused and the respondent/ complainant by executing a Memorandum of Compromise dated 19.04.2023.

4. The above said Memorandum of Compromise dated 19.04.2023 has been filed before this Court which has been signed by the petitioner/accused and the respondent/complainant and also by their respective counsel.

5. A perusal of the Memorandum of Compromise dated 19.04.2023 shows that, the parties agreed to settle the issue by compromise and the petitioner had paid a sum of Rs.2,60,000/- on 10.02.2023 by way of an Indian Bank cheque No.298854 and cash of Rs.40,000/- on 19.04.2023 towards the amount borrowed by him to the



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respondent and the same was accepted and received by the respondent.

Hence, it is prayed by both the counsel for petitioner as well as the respondent that the Memorandum of Compromise may be accepted and pleaded to acquit the petitioner from the above case in C.C.No.98 of 2014.

6. Under such circumstances, no useful purpose will be served in keeping the Criminal Revision Case pending and hence, the same is allowed and the offence under Section 138 of Negotiable Instruments Act tried in C.C.No.98 of 2014 on the file of the Judicial Magistrate No.I, Ponneri, Thiruvallur District shall stand compounded under Section 147 of Negotiable Instruments Act and the petitioner/accused shall stand acquitted of all the charges framed against him. The Memorandum of Compromise dated 19.04.2023 filed by the parties shall form part of the Order. Consequently, connected miscellaneous petitions are closed.

21.04.2023

Index:Yes/No



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To

1. The IV Additional District and Sessions,
Ponneri, Thiruvallur District.
2. The Judicial Magistrate No.I,
Ponneri, Thiruvallur District.



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V.SIVAGNANAM, J.

vrc

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