



Crl.R.C.Nos.1221 & 1305 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 16.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.R.C.Nos.1221 & 1305 of 2022 &

Crl.M.P.Nos.13381 & 13860 of 2022

S.Jaya Prakash

... Petitioner in both
Crl.R.Cs.

Vs.

Ranjith Kumar

... Respondent in
both Crl.R.Cs.

Prayer: Criminal Revision Petitions filed under Section 397 and 401 of Cr.P.C to call for the records on the file of the learned III Additional District and Sessions, Erode at Gobichettipalayam in Crl.A.Nos.274 and 275 of 2018 dated 09.01.2020 and 27.09.2018 confirming the judgment passed in STC Nos.976 and 977 of 2015 on the file of the learned Judicial Magistrate No.1, Gobichettipalayam dated 09.03.2018.



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For Petitioner : Mr.S.Bharanidharan in both Crl.R.Cs.

For Respondent : Mr.P.Vetrivel in both Crl.R.Cs.

COMMON ORDER

These Criminal Revision Cases have been filed to set aside the judgments dated 09.01.2020 and 27.09.2018 passed by the learned III Additional District and Sessions, Erode at Gobichettipalayam in Crl.A.Nos.274 and 275 of 2018, confirming the judgment dated 09.03.2018 passed by the learned Judicial Magistrate No.1, Gobichettipalayam in STC Nos.976 and 977 of 2015.

2. The petitioner is the accused in STC Nos.976 and 977 of 2015 on the file of the Judicial Magistrate No.1, Gobichettipalayam. The Trial Court convicted the petitioner under Section 138 of Negotiable Instruments Act and sentenced him to undergo one year simple imprisonment and to pay a fine of Rs.5000/- in default to undergo one month simple imprisonment and the sentence imposed in both the cases shall run concurrently. Challenging the judgment of conviction and sentence, he preferred appeals in Crl.A.Nos.274 and 275 of 2018



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before the III Additional District and Sessions Judge, Erode at Gobichettipalayam. The lower Appellate Court, vide judgments dated 09.01.2020 and 27.09.2018 confirmed the judgment of conviction and sentence passed by the Trial Court. Therefore, the petitioner filed the present Criminal Revision Cases.

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 Settlement Agreement dated 19.09.2022.

4. The above said Settlement Agreement dated 19.09.2022 has been filed before this Court along with Common Memo filed by the parties which has been signed by the petitioner/accused and the respondent/complainant and also by their respective counsel.



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5. A perusal of the Settlement Agreement dated 19.09.2022 shows that, the parties agreed to settle the issue by compromise and the petitioner had paid a sum of Rs.4,00,000/- towards the settlement to the 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 Settlement Agreement may be accepted and pleaded to acquit the petitioner from the above cases in STC Nos.976 and 977 of 2015.

6. Under such circumstances, no useful purpose will be served in keeping the Criminal Revision Cases pending and hence, the same are allowed and the offence under Section 138 of Negotiable Instruments Act tried in STC Nos.976 and 977 of 2015 on the file of the Judicial Magistrate No.I, Gobichettipalayam 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 Settlement Agreement dated 19.09.2022 and the common memo filed by the parties shall form part of the order. Consequently, connected



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miscellaneous petitions are closed.

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Index: Yes/No

vrc

To

1. The III Additional District and Sessions, Erode at Gobichettipalayam.
2. The Judicial Magistrate No.I, Gobichettipalayam.



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V.SIVAGNANAM, J.

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