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.Crl.RC.No.1104 of 2019.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM :

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.RC.No.1104 of 2019

S.Rameshbabu ...Petitioner/Appellant/Accused

Vs.

N.S.Win Traders,
Rep. By its Partner,
Mr.Shanmugam ...Respondent/Respondent/Complainant

PRAYER: Criminal Revision filed under Section 397 r/w. 401 of Cr.P.C., to set aside the order dated 13.07.2018 made in Crl.A.No.43 of 2017 on the file of the Principal District Court, Thiruvallur by confirming the Judgment of the Judicial Magistrate, Fast Track Court at Magistrate Level, Ambattur, Chennai in STC.No.83 of 2016 on 10.03.2017.

For Petitioner : Ms.S.Rohini
for Mr.S.Senthilvel

For Respondent : Ms.G.Devi
for Mr.V.Regghupathi

ORDER

This Criminal Revision had been filed to set aside the order dated



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13.07.2018 made in Crl.A.No.43 of 2017 on the file of the learned Principal District Judge, Thiruvallur by confirming the Judgment of the learned Judicial Magistrate, Fast Track Court at Magistrate Level, Ambattur, Chennai in STC.No.83 of 2016 dated 10.03.2017.

2. When the case came up for hearing, on an earlier occasion, the learned Judge of this Court had referred the case to Lok Adalat on request of the learned Counsel for the Revision Petitioner.

3. Accordingly, the case was posted before the Lok Adalat. Subsequently, it came up for hearing, both parties requested time to settle the matter amicably. Accordingly, it was adjourned.

4. Today, 02.11.2023, when the case came up for hearing, the learned Counsel for the Revision Petitioner submitted that the case had been settled amicably and both parties had filed Joint Memo, which reads as follows:

In view of mediation efforts by wellwishers of both sides it is agreed by both petitioner and respondent as



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follows:-

1. Out of total amount of Rs.5,54,936/-

Today the petitioner/appellant has paid by way of D.D.No.120322 for a sum of Rs.3,35,000/- to the respondent/complainant.

2. The petitioner has no objection for the respondent/complainant to withdraw the sum of Rs.1,65,000/- already deposited to the credit of S.T.C.No.83 of 2016 on the file Judicial Magistrate, Ambattur.

3. The respondent will withdraw other complaints against the appellant herein within a period of TEN days from this date.

4. The appellant undertakes to pay the balance amount of Rs.54,000/- to the respondent on the same date of withdrawal of other complaints against the respondent as per the class 3 above.

5. As per the terms of the Joint Memo, Rs.1,65,000/- was already deposited on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur in S.T.C.No.83/2016. Today, 02.11.2023, the Revision Petitioner has paid by way of D.D.No.120322 for a sum of Rs.3,35,000/- to the Party/Respondent viz., N.S.Win Traders, Rep. By its Partner, Mr.Shanmugam. He is also present in Court and he also fairly conceded the same. In the light of the memo, the entire amount having been settled. The Judgment of conviction and sentence of imprisonment



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imposed on the Revision Petitioner by the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur in S.T.C.No.83/2016 dated 10.03.2017 is set aside.

In terms of the compromise, this ***Criminal Revision is disposed of as settled.*** The memo shall form part of the record.

The learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur is directed to permit the Complainant before the Court to withdraw the amount of Rs.1,65,000/- (Rupees One Lakh Sixty Five Thousand only) which is available in the credit of S.T.C.No.83/2016 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur.

The Respondent/Complainant undertakes that he will not file any case, based on the cheque already handed over to him by the Revision Petitioner which cheque is not in his custody as per his submission.

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking Order

To

1. The Principal District Court,
Thiruvallur.
2. The Judicial Magistrate,
Fast Track Court,
(Magisterial Level), Ambattur.
3. The Public Prosecutor,
High Court, Madras.



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SATHI KUMAR SUKUMARA KURUP, J.

dh

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