



Crl.R.C.(MD) No.277 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.277 of 2023
and
Crl.M.P.(MD)Nos.4018 and 4019 of 2023

Ashraf Ali

...Revision Petitioner/Appellant/
Sole Accused

Vs.

Kannan

... Respondent/Respondent/
Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the judgment in Criminal Appeal No.144 of 2019 dated 10.10.2022 on the file of the learned IIIrd Additional District and Sessions Judge, Thanjavur by confirming the Judgment passed in S.T.C.No.72 of 2019 dated 10.10.2019 on the file of the learned Judicial Magistrate (Fast Track Court), Pattukottai and set aside the same by allowing the above criminal revision.



WEB COPY



Crl.R.C.(MD) No.277 of 2023

For Petitioner : Mr.I.Kalantar Aasik Ahamadu

For Respondent : Mr.S.Kamaraj

ORDER

The Criminal Revision is directed against the Judgment of conviction and sentence passed in C.A.No.144 of 2019, dated 10.10.2022 on the file of the III Additional District and Sessions Judge, Thanjavur @ Pattukkottai, confirming the Judgment of conviction and sentence, dated 10.10.2019 passed in S.T.C.No.72 of 2019 on the file of the Judicial Magistrate (Fast Track Court), Pattukottai.

2. When the matter was taken up for hearing on 16.03.2023, considering the submissions made by the learned counsel appearing for the petitioner and the respondent that the matter was settled between the parties, this Court has directed the petitioner to deposit 5% of the agreed amount before the High Court Legal Service Authority attached to this Bench on or before 23.03.2023.

3. When the matter is taken for hearing today, the learned counsel appearing for the petitioner would submit that the petitioner has deposited 5% of



Crl.R.C.(MD) No.277 of 2023

the agreed amount before the High Court Legal Services Committee, in pursuance of the direction of this Court and he has also filed a petition under Section 147 of the Negotiable Instruments Act, wherein, it has been stated that the petitioner has paid a sum of Rs.5,40,000/- to the respondent. The memo is recorded.

4. The learned counsel appearing for the respondent has filed an affidavit stating that the respondent has received Rs.2,40,000/- as cash and Rs.3,00,000/- as Demand Draft from the petitioner.

5. In view of the above, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 147 of the Negotiable Instruments Act. Hence, the Criminal Revision is allowed and the judgments of the trial Court and the Appellate Court are set aside and the accused is acquitted from the charges levelled against him. Consequently, connected Miscellaneous Petitions are closed.

31.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
csm

3/4



WEB COPY



Crl.R.C.(MD) No.277 of 2023

K.MURALI SHANKAR, J.

csm

ORDER MADE IN
Crl.R.C.(MD)No.277 of 2023
and
Crl.M.P.(MD)Nos.4018 and 4019 of 2023

31.03.2023