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Crl.R.C.(MD) No.348 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.348 of 2023

and

Crl.M.P.(MD)No.4933 of 2023

Saravanan

... Petitioner/Appellant/Accused

Vs.

M.John Felix

... Respondent/Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records relating to the order passed by the learned III Additional District Judge, Thanjavur @ Pattukkottai in C.A.No.32 of 2019, dated 29.09.2022 and confirm the judgment in S.T.C.No. 78 of 2018, dated 06.02.2019 Fast Track Court, (Magisterial Level) Pattukkottai and set aside the same.

For Petitioner : Mr.C.Susi Kumar

For Respondent : Mr.M.Sankar

ORDER

The Criminal Revision Case is directed against the Judgment of conviction passed in C.A.No.32 of 2019, dated 29.09.2022 on the file of the learned III Additional District Judge, Thanjavur @ Pattukkottai, confirming the Judgment of conviction and sentence, dated 06.02.2019 passed in



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S.T.C.No.78 of 2018 on the file of the Fast Track Court, (Magisterial Level)

Pattukkottai.

2. When the matter was taken up for hearing on 24.03.2023, considering the submission made by the learned counsel 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 of this Bench on or before 27.03.2023.

3. Today (28.03.2023), when the matter is taken for hearing, the learned counsel for the petitioner has filed a memo along with receipt to show that 5% of the agreed amount was deposited before the High Court Legal Services Committee, in pursuance of the directions of this Court. The memo is recorded. He has also filed an application under Section 147 of the Negotiable Instruments Act along with affidavit of the respondent / complainant and whereunder the respondent / complainant has received a sum of Rs.4,00,000/- towards full and final settlement of the claim due by the petitioner / accused.

4. In view of the above, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 147 of the Negotiable



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Instruments Act. Consequently, the Criminal Revision Case 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. The petitioner is directed to be released forthwith, unless his custody is required in connection with any other case. Consequently, connected Miscellaneous Petition is closed.

28.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

Note: Issue order copy on 28.03.2023.

To

- 1.The III Additional District Judge,
Thanjavur @ Pattukkottai.
- 2.The Magistrate, Fast Track Court,
(Magisterial Level) Pattukkottai.
- 3.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

das

ORDER MADE IN
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