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***Crl.R.C.(MD) No.436 of 2023***

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 07.06.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

**Crl.R.C.(MD)No.436 of 2023**  
**and Crl.M.P.(MD)Nos.6456, 6459 and 8021 of 2023**

S.Jeyalakshmi  
Proprietor  
Minin Diary Calendars

...Petitioner/Appellant/  
Accused

**Vs.**

Balaji  
Proprietor  
M/s.Venkateswaran Paper Mart  
through his Power Agent  
Rajeshkannan

... Respondent/Respondent/  
Complainant

**Prayer :** This Criminal Revision has been filed under Section 397 r/w 401 of Cr.P.C., to call for records relating to the impugned order passed in C.A.No.23 of 2014 on the file of the Additional District and Sessions Court, Srivilliputhur dated 23.09.2020 confirming the conviction and sentence of six months simple imprisonment and compensation Rs. 4,06,865/- in default three months simple imprisonment by the judgment dated 27.01.2014 in S.T.C.No.4542 of 2008 on the file of the Judicial Magistrate Court, Sivakasi and set aside the same and acquit the petitioner.

For Petitioner : Mr.P.Athimoolapandian

For Respondent : Mr.P.Arun Jayatram



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**ORDER**

The Criminal Revision is directed against the Judgment of conviction and sentence passed in C.A.No.23 of 2014, dated 23.09.2020 on the file of the Additional District and Sessions Court, Srivilliputtur, confirming the Judgment of conviction and sentence, dated 27.01.2014 passed in S.T.C.No.4542 of 2008 on the file of the Judicial Magistrate Court, Sivakasi.

2. When the matter was taken up for hearing on 21.04.2023, 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 06.06.2023.

3. When the matter is taken for hearing today, the learned counsel appearing for the petitioner has filed a cost memo along with receipt to show that 5% of the agreed amount of Rs.12,500/- (Rupees Twelve Thousand and Five Hundred only) was deposited before the High Court



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Legal Services Committee, in pursuance of the direction of this Court. The above said Memo is recorded.

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4. The learned counsel appearing for the petitioner has also filed a petition under Section 147 of Negotiable Instruments Act, wherein, it has been stated that the petitioner has paid a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) to the respondent on 30.03.2023 and balance Rs.1,00,000/- (Rupees One Lakh only) has to be paid on or before 07.06.2023 to the respondent.

5. In view of the above, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 147 of 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 petitioner/accused is acquitted from the charges levelled against him. Consequently, Crl.M.P.(MD)No.8021 of 2023 is ordered and Crl.M.P. (MD)Nos.6456 and 6459 are closed.

**07.06.2023**

NCC : Yes/No  
Index : Yes/No  
Internet : Yes/No  
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**K.MURALI SHANKAR, J.**

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**ORDER MADE IN  
Crl.R.C.(MD)No.436 of 2023  
and  
Crl.M.P.(MD)Nos.6456, 6459 and 8021 of 2023**

**Dated : 07.06.2023**