



Crl.R.C.(MD) No.543 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.543 of 2020

and

Crl.M.P.(MD)No.6372 of 2023

Petchi

... Petitioner/Appellant/Accused

Vs.

Paramasivan

... Respondent/Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records and set aside the judgment passed by the learned IV Additional Sessions Judge, Tirunelveli, in Crl.A.No. 5 of 2019, dated 20.12.2020 under Section 138 of NI Act, by confirming the conviction and sentence passed by the learned Judicial Magistrate Court No.V, Tirunelveli, in S.T.C.No.127 of 2016, dated 11.12.2018.

For Petitioner : Mr.S.Velrajan,

For Respondent : Mr.N.Ananthapadmanaban, Senior Counsel
for M/s.APN Law Associates.

ORDER

The Criminal Revision Case is directed against the Judgment of conviction passed in Crl.A.No.5 of 2019, dated 20.12.2020 on the file of the learned IV Additional Sessions Judge, Tirunelveli, confirming the Judgment



Crl.R.C.(MD) No.543 of 2020

of conviction and sentence, dated 11.12.2018 passed in S.T.C.No.127 of 2016 on the file of the learned Judicial Magistrate Court No.V, Tirunelveli.

2. When the matter was taken up for hearing on 10.03.2023, 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.

3. Today (20.04.2023), 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 of Rs.10,000/- was deposited before the High Court Legal Services Committee, in pursuance of the directions 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 deposited a sum of Rs.2,00,000/-. The memo is recorded.

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



Crl.R.C.(MD) No.543 of 2020

accused is acquitted from the charges levelled against him. The respondent is permitted to withdraw the amount deposited by the petitioner. Consequently, Crl.M.P.(MD)No.6372 of 2023, is ordered.

24.04.2023

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

To

1. The Judicial Magistrate Court No.V, Tirunelveli.
- 2.The IV Additional Sessions Judge, Tirunelveli.
- 3.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C.(MD) No.543 of 2020

K.MURALI SHANKAR, J.

das

ORDER MADE IN
Crl.R.C.(MD)No.543 of 2020
and
Crl.M.P.(MD)No.6372 of 2023

24.04.2023