



Crl.R.C.(MD).No.574 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2023

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THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.574 of 2021

and

Crl.M.P(MD) Nos.6317 and 6318 of 2021

V.Edition

...Revision Petitioner /Appellant /
Accused

Vs.

R.Rakesh Swamy

...Revision Respondent /
Respondent / Complainant

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records and set-aside the Judgment dated 09.10.2018 passed in Crl.A.No.19 of 2018 on the file of the Learned II Additional District and Sessions Judge, Thoothukudi, Thoothukudi District, confirming the conviction and sentence imposed in STC.No.1699/2015 on the file of the learned Judicial Magistrate, Srivaikundam, Thoothukudi District by judgment dated 17.01.2018 and acquit the petitioner.



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For Petitioner : Mr. Veilmuthu K

For Respondents : Mr. Mandhiralingeswaran.S

ORDER

This Criminal Revision Case has been filed against the judgment passed by the II Additional District and Sessions Court, Thoothukudi, in Clr.A.No.19 of 2018 dated 09.10.2018, confirming the judgment in S.T.C.No.1699 of 2015 dated 17.01.2018 on the file of the learned Judicial Magistrate, Srivaikundam, Thoothukudi District.

2. The respondent has filed a private complaint under Section 200 of Cr.P.C against the revision petitioner for the alleged offence under Section 138 of Negotiable Instrument Act that was taken cognizance in S.T.C. No.1699 of 2015. At the conclusion of the trial process, the trial Court has found that the accused is guilty and he was sentenced to undergo one year S.I., and to pay the cheque amount of Rs.3,00,000/- to the complainant, against which, he preferred the appeal before the II Additional District and Sessions Court, Thoothukudi, in Clr.A.No.19 of 2018, which came to be dismissed on 09.10.2018, against which, this revision has been preferred by the accused.



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3. The learned counsel for both the parties submitted that pending the above said revision, the matter has been settled between the parties before the Mediation Centre attached to this Bench. The mediation report has been received from the Mediation Centre.

4. In view of the above said compromise that is reached between the parties and since the offence is compoundable in nature, this Criminal Revision Case is allowed. The judgment of conviction and sentence passed by the learned Judicial Magistrate, Srivaikundam, Thoothukudi District, by judgment dated 17.01.2018 in S.T.C.No.1699 of 2015 and confirmed by the II Additional District and Sessions Court, Thoothukudi, in Clr.A.No.19 of 2018 dated 09.10.2018 is set aside. The terms of compromise shall form part of the order. Consequently, the connected Miscellaneous Petitions are closed.

01.03.2023

NCC :Yes:No
Index : Yes / No
Internet: Yes / No
indu



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G.ILANGOVA, J.

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To

The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court, Madurai.

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