



Crl.R.C.No.721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 05.06.2024**

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

**Crl.R.C.No.721 of 2024**

B.Murugesh

... Petitioner

Vs.

1.K.Rajendran

2.The State

Rep. By Public Prosecutor

Coimbatore.

... Respondents

**Prayer :** Criminal Revision Case filed under Sections 397 and 401 of Cr.P.C, 1973, praying to set aside the conviction and sentence imposed on the petitioner by judgment passed in Crl.A.No.76 of 2021 on the file of the Additional District and Sessions Judge, Coimbatore dated 08.02.2022 by confirming the conviction and sentence imposed in S.T.C.No.944 of 2016 on the file of the Judicial Magistrate No.I, Pollachi dated 17.02.2021.

For Petitioner : Ms.Rani  
for Mr.C.Veera Raghavan

For Respondents : Mr.R.Nandha Kumar for R1  
Mr.A.Gopinath for R2  
Government Advocate (Crl.Side)

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## **ORDER**

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This Criminal Revision Case has been filed by the petitioner seeking to set aside the judgment passed in Crl.A.No.76 of 2021 on the file of the Additional District and Sessions Judge, Coimbatore dated 08.02.2022 by confirming the conviction and sentence imposed in S.T.C.No.944 of 2016 on the file of the Judicial Magistrate No.I, Pollachi dated 17.02.2021.

2. When the matter is taken up for hearing, the petitioner and the first respondent along with their counsel are present before this court. They have submitted that the petitioner and the first respondent have entered into compromise and settled the case amicably and the first respondent has no objection for compounding the offence against the petitioner.

3. A Receipt dated 01.06.2024 has been filed before this court, which has been signed by the first respondent and also by the learned counsel for the first respondent. In the said receipt, it is stated that

***“K.Rajendran son of Kittan, Complainant herein has received a sum of Rs.1,60,000/- (Rupees one lakh sixty thousand only) from B.Murugesh***



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***S/o C.Balasubramaniam, Accused herein towards full settlement of above case as per compromise arrived between us. I have no objection to receive the part of compensation amount deposited by the accused in S.T.C.No.944/2016 on the file of Judicial Magistrate No.I, Pollachi.”***

Therefore, the petitioner had totally deposited a sum of Rs.1,60,000/- (Rupees one lakh sixty thousand only) in S.T.C.No.944 of 2016 and the petitioner had handed over the above deposited original payment receipts to the first respondent. Further, the petitioner has no objection for withdrawal of the above sum of Rs.1,60,000/- by the first respondent with the interest accrued therein and the first respondent has no objection for compounding the offence against the petitioner. The petitioner and the first respondent had also made an endorsement in the petition stating that the first respondent had received a total sum of Rs.1,60,000/- (Rupees one lakh sixty thousand only) and he has no objection for compounding the offence against the petitioner.

4. Considering the fact that the petitioner has deposited a sum of Rs.1,60,000/- before the trial court and also the fact that the first respondent has no objection for compounding the offence against the petitioner as they have entered into a compromise, this Court is inclined to



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allow this revision. The Receipt dated 01.06.2024 filed before this Court is taken on file and recorded.

5. Accordingly, this Criminal Revision Case is allowed in terms of compromise and as a sequel, the judgment passed in Criminal Appeal No. 76 of 2021 on the file of the learned Additional District and Sessions Judge, Coimbatore is set aside. Further, the first respondent is permitted to withdraw Rs.1,60,000/-, deposited by the petitioner to the credit of S.T.C.No.944 of 2016 on the file of the learned Judicial Magistrate No.I, Pollachi. The Receipt dated 01.06.2024 shall form part of the records.

**05.06.2024**

Index : Yes / No  
Speaking order / Non-speaking order  
NCC : Yes / No  
msv

To

- 1.The Additional District and Sessions Judge, Coimbatore
- 2.The Judicial Magistrate No.I, Pollachi.



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**M.DHANDAPANI, J.**

msv

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