



CRL.R.C.No.824 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM:

THE HONOURABLE Mrs.JUSTICE R.KALAIMATHI

CRL.R.C.No.824 of 2019

and

Crl.M.P.No.12090 of 2019

R.Dhakshinamoorthy

... Petitioner / Accused

vs.

A.Chandrasekar

... Respondent / Complainant

PRAYER: This Criminal Revision Case is filed under Section 397 read with 401 Cr.P.C., to call for the records and set aside the order passed by the learned Principal Sessions Judge, Kanchipuram, Chengalpattu on 25.04.2019 passed in C.A.No.48 of 2016 in C.C.No.293 of 2015, confirming the order of the Judicial Magistrate, Fast Track Court, (Magisterial-Legal), Alandur, guilty for the offence under Section 138 of Negotiable Instrument Act for conviction and sentence to undergone year simple imprisonment and imposed a fine of Rs.5,000/- and in default to undergo 3 months simple imprisonment, and acquit the petitioner/appellant.

For Petitioner : Mr.T.Shanmuga Bhoopathi

For Respondent : Mr.Durai Kannan

ORDER



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A memo has been filed by the appellant himself Mr.R.Dakshinamoorthy, enclosing copies of 4 Demand Drafts drawn on 1) Union Bank of India, East Tambaram, for an amount of Rs.20,000/-, 2) Indian Bank, Padappai for an amount of Rs.20,000/-, Canara Bank Selaiyur for an amount of Rs.20,000/- and Indian Bank, Madras High Court Branch for an amount of Rs.10,000/- have been duly received by the complainant herein by endorsing on the memo itself by the complainant.

2. The complaint was presented in respect of a cheque for an amount of Rs.1,50,000/-, the said amount was deposited by the appellant R.Dakshinamoorthy before the Judicial Magistrate, Fast Track Court, Alandur on 23.09.2019, as per the order of this Court, dated 27.08.2019, passed in Crl.M.P.No.12088 of 2019.

3. Apart from this amount, today the complainant has received the above said four demand drafts for an amount of Rs.70,000/- which was agreed upon.

4. Heard both sides.

5. As the amount due in C.C.No.293 of 2015 on the file of the



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Judicial Magistrate Court, Fast Track Court, Alandur is accounted for, by the complainant and which is also agreed by the accused.

6. With these observations this Criminal Revision Case is allowed. In the result, the conviction and sentence passed by the trial Court stands set aside. Consequently, connected miscellaneous petition is closed.

22.03.2024

Index : Yes/No
Internet: Yes/No
Speaking Order : Yes/No
ssn

R.KALAIMATHI, J.,

ssn

To:

1. The Principal Sessions Judge,
Kanchipuram at Chengalpattu.
2. The Judicial Magistrate, Fast Track Court,
(Magisterial-Legal), Alandur.
3. The Public Prosecutor,
High Court, Madras.

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