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Crl.R.C.No.760 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.10.2024

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THE HONOURABLE MR.JUSTICE SHAMIM AHMED

Crl.R.C.No.760 of 2021

P. Dhandapani	...	Petitioner
	/vs/	
R. Kandasamy	...	Respondent

Prayer : Criminal Revision Petition filed under section 397 r/w.401 Cr.P.C., to set aside the judgment dated 04.09.2021 passed in C.A.No.77 of 2016 on the file of III Additional District and Sessions Judge, Thiruppur at Dharapuram, confirming the sentence imposed in the judgment dated 08.06.2016 in C.C.No.357 of 2011 on the file of the Judicial Magistrate No.I, Udumalpet and to allow the Criminal Revision Case.

For Petitioner	...	Mr.M. Mohan Raju for Mr.R.Nalliyappan
For Respondent		Mr.B.Gopalakrishnan

ORDER

Heard Mr.M.Mohan Raju, holding brief of Mr.R.Nalliyappan, learned counsel for the Revision Petitioner, namely Mr.P.Dhandapani, Mr.B. Gopalakrishnan, learned counsel for the respondent.



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2. The present Criminal Revision case under section 397 r/w.401 of Cr.P.C., has been filed against the judgement and order dated 04.09.2021 passed by the learned III Additional District and Sessions Judge, Tiruppur at Dharapuram in C.A.No.77 of 2016, confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate No.I, Udumalpet in C.C.No.357 of 2011, dated 08.06.2016

3. The learned trial Judge convicted the Revision Petitioner under section 138 of Negotiable Instruments Act and sentenced him to undergo one year Simple Imprisonment and a fine of Rs.1000/- with default stipulations. Aggrieved by the judgment of conviction and sentence imposed by the trial Judge, the Revision Petitioner preferred appeal in C.A.No.77 of 2016 before the III Additional District and Sessions Judge, Tiruppur at Dharapuram, wherein, the learned First Appellate Judge confirmed the conviction and sentence imposed on the Revision Petitioner. Aggrieved against the judgment passed by the First Appellate Court, the present Criminal Revision has been preferred.

4. At the very outset, the learned counsel for the Revision Petitioner submits that the Revision Petitioner has already undergone the period of



imprisonment of one year imposed by the trial court and first appellate court and he also deposited the fine amount of Rs.1,000/- and thus he submits that nothing remains to be adjudicated in this Criminal Revision and the same may be disposed of .

5. The learned counsel for the respondent also made an agreement with the submissions so made by the learned counsel for the Revision Petitioner and submits that no useful purpose would be served in keeping this Revision pending as the Revision Petitioner has already completed his detention period, thus, the present Revision may be disposed of.

6. After hearing learned counsel for the parties and after perusal of records, the Court also finds that nothing remains to be adjudicated in this Revision, as the Revision Petitioner herein namely Mr.P.Dhandapani has already completed his period of imprisonment awarded to him by the trial court and first appellate court. Thus, keeping in view the statements made by the learned counsel for the Revision Petitioner, the present Criminal Revision is liable to be disposed of.



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6. With the above observation, the present Criminal Revision is hereby disposed of.

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Index:yes/no

Internet:yes/no

To

1. The III Additional District and Sessions Judge,
Thiruppur at Dharapuram.
2. The Judicial Magistrate No.I, Udumalpet



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SHAMIM AHMED, J.

msr

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