



Crl.R.C.No.1651 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.1651 of 2024
and Crl.M.P.Nos.13695, 13696 & 15220 of 2024

Bhojanapalli Koteswara Rao

... Petitioner

Vs.

Nerella Sathya Narayana

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 438 and 442 of BNSS, to set aside the order dated 27.06.2024 made in Crl.A.No.104 of 2023 on the file of the learned IV Additional Sessions Judge at Chennai and confirmed the order dated 07.02.2023 made in C.C.No.3901 of 2016 on the file of the Metropolitan Magistrate, Fast Track Court-III, Saidapet, Chennai.

For Petitioner	:	Mr.C.Iyyapparaj for Mr.Y.Prakash
For Respondent	:	Mr.Bejjam Raju

ORDER

The petitioner/accused in C.C.No.3901 of 2016 was convicted by the trial Court by judgment dated 07.02.2023 and sentenced to undergo one



month simple imprisonment and to pay the cheque amount of Rs.5,57,800/- as compensation with 6% interest per annum. Aggrieved against the same, the petitioner preferred an appeal in C.A.No.104 of 2023 before the learned IV Additional Sessions Judge, City Civil Court, Chennai. The Sessions Judge, by judgment dated 27.06.2024, dismissed the appeal confirming the conviction and sentence of the trial Court. Against which, the present revision petition filed.

2.The learned counsel for the petitioner submits that now the issue between the petitioner and the respondent got resolved. He would submit that during pendency of the appeal, the petitioner deposited a sum of Rs.1,11,560/- to the credit of C.C.No.3901 of 2016 on the file of the learned Metropolitan Magistrate, Fast Track Court-III, Saidapet, Chennai. Thereafter, the petitioner paid a sum of Rs.1,58,415/- and Rs.20,081/- to the credit of C.C.No.3901 of 2016 vide receipt No.02923 dated 19.04.2023 and No.02956 dated 27.06.2023. Further, he produced a Demand Draft for a sum of Rs.3,80,000/- drawn on State Bank of India vide DD.No.903830 dated 17.10.2024 in favour of the respondent on 25.10.2024, in total, the



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petitioner paid Rs.5,58,496/-. Hence, prayed for allowing the appeal and discharging the petitioner from the above case.

3.Today, the respondent appears before this Court through video conferencing. Both the learned counsel for the petitioner and the learned counsel for the petitioner as well as the respondent submitted that the issue between the petitioner and the respondent have been amicably resolved.

4.The respondent confirms the receipt of the amount and his only plea is that he may be permitted to withdraw the amount lying in the credit of C.C.No.3906 of 2016 on the file of the learned Metropolitan Magistrate, Fast Track Court-III, Saidapet, Chennai.

5.The learned counsel for the petitioner has got no objection for the respondent withdrawing the amount deposited before the Trial Court.

6.The respondent filed a compounding petition along with affidavit before this Court in Crl.M.P.No.15220 of 2024 in Crl.R.C.No.1651 of 2024



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invoking Section 147 of the Negotiable Instruments Act, 1881 to compound the offence and the same is ordered.

7.In the result, the case between the petitioner and the respondent is compounded. Hence, the judgment, dated 07.02.2023 in C.C.No.3901 of 2016, passed by the learned Metropolitan Magistrate, Fast Track Court-III, Saidapet, Chennai and the judgment dated 27.06.2024 passed by the learned IV Additional Sessions Judge, Chennai in C.A.No.104 of 2023 are set aside and the revision is, accordingly, allowed. The respondent/complainant is permitted to withdraw the amount lying in the credit of C.C.No.3901 of 2016 by filing an appropriate petition before the Trial Court. Notice to the petitioner/accused is dispensed with. The petitioner is discharged from all charges levelled against him. Consequently connected miscellaneous petitions are closed.

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Index:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
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To

- 1.The Metropolitan Magistrate,
Fast Track Court-III,
Saidapet, Chennai.
- 2.The IV Additional District Judge,
Chennai.



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M.NIRMAL KUMAR, J.

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