



Crl.R.C.No.1160 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2024

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.R.C.No.1160 of 2019

K.Sivakumar

... Petitioner

..Vs..

Ramamoorthy

... Respondent

Prayer: Criminal Revision filed under Section 397 and 401 of Criminal Procedure Code 1973 to set aside the judgment and orders dated 18.09.2019 passed in C.A.No.267/2018 by the IV Additional District and Sessions Judge, Coimbatore, confirming the judgment and orders dated 29.05.2018 passed in C.C.No.490/2015 by the District Munsif Cum Judicial Magistrate, Mettupalayam.

For Petitioner : Mr.S.Prabhu

For Respondent : Mr.Arulmuruganandham.N.K.

ORDER

When the matter is taken up for hearing today, learned counsel for the revision petitioner filed a memo stating thus :

"The petitioner herein filed the above Criminal Revision Petition to set aside the judgment passed in



C.A.No.267 of 2018 on the file of the IV Additional District and Sessions Judge, Coimbatore, dated 18.09.2019 confirming the judgment passed in C.C.No.490 of 2015 by the District Munsif Cum Judicial Magistrate, Mettupalayam dated 29.05.2018.

The above revision came up for hearing on 27.03.2024 and this Hon'ble Court was permitted the petitioner to deposit the remaining cheque amount of Rs.5,00,000/- before the trial court by way of Demand Draft within period of two weeks i.e. on or before 15.04.2024. Accordingly, on 12.04.2024, a Demand Draft drawn on Canara Bank, dated 12.04.2024 for a value of Rs.5,00,000/- in favour of M.Ramamoorthy, the respondent herein, was deposited before the Judicial Magistrate, Mettupalayam.

It is therefore prayed that this Hon'ble Court may be pleased to record the above compliance and pass suitable orders as this Hon'ble Court may deem fit and thus render justice.

Dated at Chennai on this 17th day of April 2024."

2. Learned counsel for the respondent / complainant admitted that the entire amount has been paid by the revision petitioner / accused and the matter has been settled between the parties. He also made an endorsement in this regard both in the memo as well as in the bundle.



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2. Recording the same, the Criminal Revision Case is disposed

of, as per the settlement between the parties. The conviction and sentence passed by the trial court in C.C.No.490/2015 as well as the appellate court in C.A.No.267/2018 against the revision petitioner / accused is set aside. The respondent / complainant can withdraw the amount deposited by the accused by filing an appropriate application before the trial court.

13.06.2024

Index : Yes/No
Internet : Yes/No
mtl

To

1. The IV Additional District and Sessions Judge, Coimbatore.
2. The District Munsif Cum Judicial Magistrate, Mettupalayam.
3. The Public Prosecutor, Madras High Court, Chennai.
3. The Section Officer, Criminal Section, High Court, Madras.

R. HEMALATHA, J.



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