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Crl.R.C.No.266 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.266 of 2024

and

Crl.M.P.No.12608 of 2024

S.Pandiyan

... Petitioner/Accused

Vs.

S.Karuppaiah

... Respondent/Complainant

PRAYER: Criminal Revision Case has been filed under Sections 397 r/w 401 of Cr.P.C., praying to set aside the judgment in C.A.No.72 of 2019 on the file of II Additional District and Sessions Judge, Vellore @ Ranipet dated 22.02.2021 confirming the conviction and sentence passed in C.C.No.16 of 2018 on the file of Judicial Magistrate, Sholinghur dated 09.07.2019 by allowing the above revision.

For Petitioner

: Mr.S.Kaithamalai Kumaran

For Respondent

: Mr.K.G.Senthilkumar



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ORDER

This petition has been filed seeking to set aside the judgment in C.A.No.72 of 2019 on the file of II Additional District and Sessions Judge, Vellore @ Ranipet dated 22.02.2021 confirming the conviction and sentence passed in C.C.No.16 of 2018 on the file of Judicial Magistrate, Sholinghur dated 09.07.2019 by allowing the above revision.

2.The petitioner is the accused in C.C.No.16 of 2018 in a private complaint filed by the respondent/complainant under Section 138 of the Negotiable Instruments Act. The Trial Court, by judgment dated 09.07.2019, convicted the petitioner and sentenced him to undergo one year simple imprisonment and to pay a fine of Rs.1,000/-. Aggrieved against the said judgment, the petitioner preferred an appeal in C.A.No.72 of 2019 before the II Additional District and Sessions Judge, Vellore @ Ranipet. The learned Sessions Judge, by judgement dated 22.02.2021, dismissed the appeal



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confirming the conviction and sentence of the trial Court, against which, the present revision has been filed.

3.Today, the petitioner as well as respondent and their respective counsel are present. Both the petitioner and respondent confirmed the compromise entered between them and the respondent/complainant reiterated the compounding of the offence. The learned counsel for petitioner filed a compounding petition before this Court in Crl.M.P.No.12608 of 2024 in Crl.R.C.No.266 of 2024 invoking Section 147 of the Negotiable Instruments Act, 1881 to compound the offence, along with affidavit of respondent as well as petitioner and Joint Compromise Memo filed by the respondent, signed by the petitioner, respondent and their respective counsel and the said petition is ordered.

4.In the result, the case between the petitioner and the respondent is compounded. Hence, the judgment, dated 09.07.2019 in C.C.No.16 of 2018,



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passed by the learned Judicial Magistrate, Sholinghur, Vellore District and

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the judgment dated 22.02.2021 in C.A.No.72 of 2019 passed by the learned II

Additional District and Sessions Judge, Vellore at Ranipet are set aside and

the revision is, accordingly, allowed. The petitioner is acquitted of the charge

under Section 138 of the Negotiable Instruments Act.

11.09.2024

Index : Yes/No

Internet : Yes/No

Speaking order / Non-speaking order

Neutral citation : Yes/No

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To
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- 1.The Judicial Magistrate,
Sholinghur, Vellore District.
- 2.The II Additional District and Sessions Judge,
Vellore at Ranipet.
- 3.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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