



Crl.R.C.(MD)No.946 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VADAMALAI

Crl.R.C.(MD)No.946 of 2024
and
Crl.M.P.(MD)No.11866 of 2024

M.Devendran

... Petitioner

Vs.

A.Varghese

... Respondent

PRAYER : Criminal Revision Petition filed under Section 397 r/w 401 of Code of Criminal Procedure, to call for the entire records pertaining to the judgment rendered by the learned II Additional District and Sessions Judge, Thoothukudi in C.A.No.62 of 2016, dated 13.06.2024, filed as against the judgment passed by the Fast Track Court (Magisterial Level), Thoothukudi in C.C.No.225 of 2015 dated 29.11.2016 and set aside the same and thereby, acquit the petitioner from the charge levelled in the said case.



Crl.R.C.(MD)No.946 of 2024

WEB COPY

For Petitioner : Mr.S.Micheal Heldon Kumar

For Respondent : Mr.R.Ilayaraja

ORDER

The Criminal Revision is directed against the judgment of conviction and sentence passed in C.A.No.62 of 2016, dated 13.06.2024, by the II Additional District and Sessions Judge, Thoothukudi confirming the judgment of conviction and sentence, dated 29.11.2016, passed in C.C.No.225 of 2015 by the Fast Track Court (Magisterial Level), Thoothukudi.

2. When the matter was taken up for hearing on 03.10.2024, considering the submissions made by the learned counsel appearing for the petitioner that the matter was settled between the parties, this Court has directed the petitioner to deposit 5 % of the agreed amount before the High Court Legal Service Authority attached to this Bench on or before 15.10.2024.



Crl.R.C.(MD)No.946 of 2024

WEB COPY

3. When the matter is taken for hearing today (12.11.2024), the learned counsel appearing for the petitioner has filed a memo along with the receipt to show that 5% of the agreed amount of Rs.16,250/- (Rupees Sixteen Thousand Two Hundred and Fifty only) was deposited before the High Court Legal Services Committee, in pursuance of the direction of this Court. The said memo is recorded.

4. A joint compromise memo has also been filed by the parties. On perusal of the same, it is seen that the petitioner has paid the compromised amount of Rs.3,25,000/- (Rupees Three Lakhs and Twenty Five Thousand only) to the respondent by way of two Demand Drafts, and the said Demand Drafts have also been received by the respondent on 16.10.2024.

5. In view of the above, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 147 of Negotiable Instruments Act. Hence, the Criminal Revision Petition is allowed, and the judgments of the trial Court and the appellate Court are



Crl.R.C.(MD)No.946 of 2024

set aside, and the petitioner/accused is acquitted from the charges levelled against him. Consequently, the connected Criminal Miscellaneous Petition is ordered.

12.11.2024

mkn

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

To

- 1.The learned II Additional District and Sessions Judge,
Thoothukudi
- 2.The Fast Track Court (Magisterial Level),
Thoothukudi



WEB COPY



CrI.R.C.(MD)No.946 of 2024

P.VADAMALAI, J.

mkkn

CrI.R.C.(MD)No.946 of 2024
and
CrI.M.P.(MD)No.11866 of 2024

12.11.2024