



Crl.R.C.No.382 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.382 of 2023

V.Sivakumar

..... Petitioner

Vs

Saravanan

..... Respondent

PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of Cr.P.C, to set aside the confirming of conviction order passed by the learned II Additional District and Sessions Judge, Tiruvallur at Poonamallee in Criminal Appeal No.173/2018 dated 21.12.2022.

For Petitioner : Mr.A.P.Kannan
For Respondent : Mr.A.Thirumaran

ORDER

This Criminal Revision has been filed as against the judgment passed in Crl.A.No.173 of 2018 dated 21.12.2022 by the II Additional District and Sessions Judge, Tiruvallur at Poonamallee, thereby confirming the conviction and sentence imposed by the trial Court / Judicial Magistrate, Fast Track Court, (Magistrate Level), Ambattur, in S.T.C No.81 of 2016, for the



Crl.R.C.No.382 of 2023

offence punishable under Section 138 of Negotiable Instruments Act.

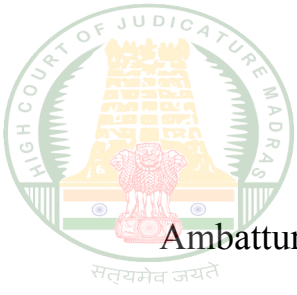
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2. While pending this revision, the matter has been settled between the parties by paying the entire cheque amount.

3. The learned counsel for the respondent would submit that today he received a demand draft for the cheque amount and he has no objection to set aside the conviction and sentence imposed on the petitioner by the trial Court.

4. In view of the aforesaid submission made by the learned counsel for the respondent, the judgment passed in Crl.A No.173 of 2018 dated 21.12.2025 by the learned II Additional District and Sessions Judge, Tiruvallur at Poonamallee, thereby confirming the conviction and sentence imposed by the trial Court / Judicial Magistrate, Fast Track Court, (Magistrate Level), Ambattur, in S.T.C No.81 of 2016, for the offence punishable under Section 138 of Negotiable Instruments Act, is hereby set aside.

5. At the time of suspending the sentence by the appellate Court, the petitioner had deposited Rs.93,000/- to the credit of S.T.C No.81 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court, (Magistrate Level),



Crl.R.C.No.382 of 2023

Ambattur. Hence, the petitioner is permitted to withdraw the said amount by filing an appropriate application before the trial Court. It is made clear that the trial Court shall permit the petitioner to withdraw the amount without ordering notice to the respondent.

6. Accordingly, the Criminal Revision Case stands allowed.

05.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

- 1.The II Additional District and Sessions Judge,
Tiruvallur at Poonamallee
2. The Judicial Magistrate,
Fast Track Court, (Magistrate Level), Ambattur.
3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



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Crl.R.C.No.382 of 2023

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Crl.R.C No.382 of 2023

05.06.2025