



WEB COPY

CRL RC No. 399 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL RC No. 399 of 2024

1. N.Ramesh @ Palanisamy
S/o. Narayanasamy,
Prop.M/s. Arulkumaran Agencies,
9, Thiruneelakandapuram,
M.S.Nagar North,
Kongu Main Road, Tiruppur - 7.

Petitioner(s)

Vs

1. M.Palanisamy(died)
S/o. Muthusamy, Door No.2, Vairavan
Nagar, Tiruppur Town, Tiruppur.

2.PARAMESWARI
W/o Late .Palanisamy

3.Prabhu Shankar
S/o Late .Palanisamy
Both Are Residing At No 2 Vairavan
Nagar Kathir Nagar Kangeyam Road
Tirupur T.C Market Tirupur-641604



4.SUGANYA

D/o Late .Palanisamy

W/o Abhinandhan

No 3 Kovai Thottam Veeriyampalayam

Road Kalapatti Coimbatore-641038

(Amended as per order dated

24/06/2024 In Crl Mp No 8896/2024 In

Crl Rc No 399/2024)

Respondent(s)

PRAYER

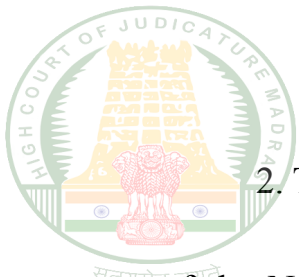
This Criminal Revision Petition is filed under Section 397 and 401 of Cr.P.C., to set aside the Judgment dated 18.01.2024 passed in Crl.A.No.88 of 2022 on the file of the Learned Principal Sessions Judge, Tiruppur confirming the Judgment dated 24.06.2022 passed in CC.No.186 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court, Tiruppur.

For Petitioner(s): Mr.N. Palanikumar

For Respondent(s): Mr.C.Ramaraj

ORDER

This Criminal Revision Petition has been filed to set aside the Judgment dated 18.01.2024 passed in Crl.A.No.88 of 2022 on the file of the learned Principal Sessions Judge, Tiruppur, confirming the Judgment dated 24.06.2022 passed in CC.No.186 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court, Tiruppur.



WEB COPY

2. The revision petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo one year simple imprisonment and also to pay a fine of Rs.6,00,000/- as compensation, and in default, to undergo Simple Imprisonment for two months. Aggrieved by the same, the above revision has been filed.

3. This Court, vide order dated 24.06.2024 in Crl.M.P.Nos.3555 and 3656 of 2024, granted suspension of sentence subject to condition that the petitioner has to deposit 50% of the cheque amount before the Trial Court.

4. On 08.04.2024, the learned counsel for the petitioner submitted that out of compensation amount of Rs.6 lakhs, the petitioner had deposited a sum of Rs.4,20,000/- and sought time to deposit the balance amount. This Court had also granted time to deposit the balance compensation amount on or before 28.04.2025 and posted the matter on 29.04.2025 ie., today.

5. Today, when the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner that entire compensation has been deposited and hence prayed to set aside the conviction and sentence passed by the Trial Court.



6. Learned counsel for the respondent has not raised any objection to set aside the conviction and sentence passed by the trial Court.

WEB COPY

7. Considering the submission made by the learned counsel on either side and considering the fact that it is a quasi judicial civil matter, that the offence is compoundable in nature and that the entire compensation amount has also been deposited before the Trial Court, while confirming the conviction, this Court sets aside the sentence imposed by the Trial Court. The respondents are permitted to withdraw the compensation amount deposited by the petitioner before the Trial Court.

8. In view of the same, this Criminal Revision Petition is disposed of.

29-04-2025

mfa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Principal Sessions Judge, Tiruppur.
2. The Judicial Magistrate, Fast Track Court, Tiruppur.



WEB COPY

CRL RC No. 399 of 2024



P.VELMURUGAN J

mfa

CRL RC No. 399 of 2024

29-04-2025