



Crl.R.C.No.272 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.272 of 2021 and
Crl.M.P.No.6897 of 2025

M.Rajasekar

... Petitioner

Vs.

P.Karthikeyan

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 397 & 401 of Criminal Procedure Code, to set aside the judgment dated 11.03.2020 in Crl.A.No.215 of 2019, on the file of II Additional District and Sessions Judge, Erode confirming the conviction and sentence in the judgment dated 20.08.2019 made in STC.No.714 of 2017, on the file of Judicial Magistrate (FTC-II) Erode.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.N.Chinnaraj

ORDER



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The petitioner was convicted by judgment, dated 20.08.2019 in STC.No.714 of 2017 by the learned Judicial Magistrate, Fast Track Court No.II, Erode (Trial Court) for offence under Sections 138 of Negotiable Instruments Act, 1881 and sentenced to undergo six months Simple Imprisonment. Aggrieved over the judgment of the trial Court, an appeal was preferred by the petitioner before the learned II Additional District and Sessions Judge, Erode (Lower Appellate Court) in Crl.A.No.215 of 2019. The Lower Appellate Court, by judgment dated 11.03.2020 dismissed the appeal, confirming the judgment of the trial Court, against which the present criminal revision case is filed.

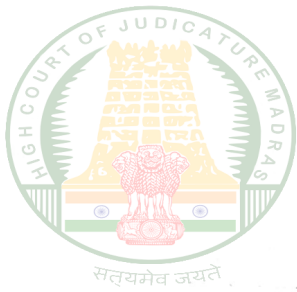
2.The learned counsel for the petitioner submitted that now the issue between the petitioner and the respondent got resolved and that the respondent agreed to receive the cheque amount of Rs.1,50,000/-. He further submits that the petitioner paid the cheque amount to the respondent by way of demand draft No.000666, dated 27.03.2025 drawn in favour of the respondent. Based on the compromise, a compounding petition in Crl.M.P.No.6897 of 2025 in Crl.R.C.No.272 of 2021 under Section 147 of Negotiable Instruments Act, 1881 has been filed to compound the offence.



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WEB COPY 3.The learned counsel for the respondent confirms the compromise entered between the petitioner and the respondent and also confirms the receipt of the entire cheque amount by way of demand draft in No.000666, dated 27.03.2025.

4.Today, the respondent is present before this Court and this Court had enquired the respondent. The respondent confirmed the compromise entered with the petitioner and filing of compounding petition. The scanned reproduction of the demand draft No.000666, dated 27.03.2025 drawn in favour of the respondent is as follows:



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ERODE YEERAPPAN CHATRAM BRANCH (5567)
ERODE, TAMIL NADU - 638004
IFSC CODE : CNRB0005567
055673002018 666

P KARTHIKEYAN

मांगने पर On Demand Pay

रुपये Rupees

ONE LAKH FIFTY THOUSAND ONLY

अदा करें For Value Received

₹ ***1,50,000.00

Purchaser Name: KAVIN RAJASEKARAN
*****NOT OVER Rs.1,50,000.00

केनरा बैंक Canara Bank

ERODE CUTCHERY ROAD(1104)

DRAWEE BRANCH, D.P. CODE

धाराणी जी
DHAARANI G
अधिकारी / OFFICER
SP No. 84113

आरती. जे. / ARATHY. J
अधिकारी / OFFICER
SP No. 86134

॥000666॥ 6380150461 305567॥ 16

Received
3/11/2025
W. CHENNAIPAR

W. C. 11/54/09

5.The respondent/complainant has filed a compounding petition in Crl.M.P.No.6897 of 2025 in Crl.R.C.No.272 of 2021 invoking Section 147 of the Negotiable Instruments Act, 1881 to compound the offence and the same is ordered.



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6.In view of the above development and in the interest of both the parties not to keep these proceedings pending since it will affect their future life, this Court accepts the compromise entered between them.

7.In the result, the case between the petitioner and the respondent is compounded. Hence, the judgment, dated 20.08.2019 in STC.No.714 of 2017 passed by the learned Judicial Magistrate, Fast Track Court No.II, Erode and the judgment, dated 11.03.2020 passed by the learned II Additional District and Sessions Judge, Erode in Crl.A.No.215 of 2019 are set aside and the revision is, accordingly, allowed. The petitioner is acquitted of all the charges levelled against him.

02.04.2025

Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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To

1.The II Additional District and Sessions Judge,
Erode.

2.The Judicial Magistrate, Fast Track Court No.II,
Erode.

Note: Issue Order Copy on 15.04.2025.



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M.NIRMAL KUMAR, J.

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