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Crl.R.C.No.464 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL RC No. 464 of 2022

and

Crl.M.P.No.22737 of 2025

1. G.Rajendran
S/o.Gurusamy, No.23,
Subbathal Lay Out, 2nd Cross Street,
Rathinapuri, Coimbatore District.

2.Meena Kumari
W/o. G.Rajendran, No.23, Subbathal
Layout, 2nd Cross Street,
Rathinapuri, Coimbatore.

Petitioners/A1 & A2

Vs

P.Mahesh Kumar
S/o. Palanisamy, No.83/1,
V.O.C. 2nd Street, Rathinapuri,
Coimbatore District.

Respondent/Complainant

Prayer: Criminal Revision Case filed under Sections 397 r/w 401 of Cr.P.C. praying to set aside the judgment passed by the learned Judicial Magistrate, Fast Track Court-II, Coimbatore in C.C.No.367 of 2018 dated 15.11.2019 as confirmed by the judgment of the IV-Additional District and Sessions Judge, Coimbatore in C.A.No.417 of 2019 dated 31.01.2021.



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For Petitioners : Mr.M.N.Balakrishnan

For Respondent : Mr.L.Mouli

ORDER

The Criminal Revision Petition challenges the conviction of the petitioners for the offence under Section 138 of the Negotiable Instruments Act and sentence imposed on the petitioners to undergo simple imprisonment for six months each and to pay the cheque amount of Rs.50,000/- as compensation.

2. The petitioners/accused were prosecuted by the respondent for offence under Section 138 of the Negotiable Instruments Act in C.C.No.367 of 2018. The trial Court, by the judgment dated 15.11.2019, convicted the petitioners and sentenced them to undergo simple imprisonment for six months each and directed to pay the cheque amount of Rs.50,000/- along with interest as compensation. Aggrieved against the same, the petitioners preferred an appeal in Crl.A.No.417 of 2019 before the learned IV Additional District and Sessions Judge, Coimbatore. The learned Sessions Judge, by the judgment dated 31.01.2021, dismissed the appeal confirming the conviction and sentence passed by the trial Court, against which, the present revision is filed.



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3.The learned counsel for petitioners submitted that the petitioners had paid the cheque amount of Rs.50,000/- to the complainant on 17.11.2025 by way of demand draft bearing No.176712 dated 15.11.2025 in favour of the respondent/complainant and the same was received by the respondent/complainant.

4.Today, the complainant/P.Mahesh Kumar appeared through video conference along with an Advocate, Mr.Yogasali, Enroll.No.1850/2003 from Coimbatore and confirmed the compromise arrived at between the petitioners and respondent. In support of the same, both the learned counsel for petitioners as well as respondent filed a petition under Section 147 of the Negotiable Instruments Act, 1881 in Crl.M.P.No.22737 of 2025 for compounding the offence along with the copy of the Demand Draft. The Crl.M.P.No.22737 of 2025 is ordered.

5. In view of the compromise arrived at between the parties and considering the petition under Section 147 of the Negotiable Instruments Act, the offence under Section 138 of the Negotiable Instruments Act in C.C.No.367 of 2018 is compounded.



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6.Thus the petitioners discharged their liability to the respondent/complainant by way of Demand Draft. In view of the same, the conviction and sentence imposed on the petitioners vide judgment dated 31.01.2021 made in Crl.A.No.417 of 2019 on the file of the learned IV Additional District and Sessions Judge, Coimbatore, confirming the judgment dated 15.11.2019 made in C.C.No.367 of 2018 on the file of the learned Judicial Magistrate, Fast Tract Court No.II @ Magisterial Level, Coimbatore, is set aside and the revision petitioners are acquitted of the offence under Section 138 of the Negotiable Instruments Act.

7.In the result, the Criminal Revision Case is allowed.

25-11-2025

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To

- 1.The Judicial Magistrate,
Fast Track Court-II, Coimbatore.
- 2.The IV Additional District and Sessions Judge,
Coimbatore.



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M.NIRMAL KUMAR, J.

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