



Crl.R.C.No.807 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

CORAM:

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

Crl.R.C.No.807 of 2025 and
Crl.M.P.No.11367 of 2025

Anandkumar

... Petitioner

Vs.

S.Suren Babu (died)
1. State of Tamilnadu
Rep. by the
Public Prosecutor of Nigirs District,
Udagamandalam.

2. A.Vimala

... Respondents

PRAYER: Criminal Revision has been filed under Sections 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order dated 30.01.2024 and made in Criminal Appeal No.20 of 2021 on the file of the Sessions Judge of Magalir Neethimandram (FTMC), Udhagamandalam, the Nilgiris, in dismissing the Criminal Appeal and confirming the order passed in S.T.C.No.491 of 2016 on the file of Judicial Magistrate Court at Udhagamandalam, convicting the petitioner for the offences U/s.138 of NI Act., and allow the Criminal Revision Petition.



WEB COPY



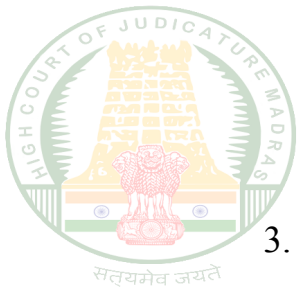
CrI.R.C.No.807 of 2025

For Petitioner : Mr.G.Baskar
For Respondents
For R1 : Mr.S.Rajakumar
Additional Public Prosecutor
For R2 : Ms.S.Nithiyakalyani

ORDER

This criminal revision has been preferred against the judgment dated 30.01.2024, passed by the learned Sessions Judge, Magalir Neethimandram (FTMC), Udhagamandalam, in C.A.No.20 of 2021, confirming the conviction and sentence imposed on the petitioner dated 23.03.2021, passed by the learned Judicial Magistrate Court, Udhagamandalam, in S.T.C.No.491 of 2016, thereby convicting the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act (hereinafter referred to as “the NI Act”)

2. The learned counsel appearing for the petitioner submitted that while pending revision, the petitioner and the second respondent have amicably settled the issue between them and also entered into a Joint Compromise on 17.06.2025. He also produced the joint compromise memo dated 17.06.2025 before this Court.



CrI.R.C.No.807 of 2025

WEB.COM

3. The learned counsel appearing for the second respondent submitted that the entire cheque amount has been settled and she has no objection to set aside the conviction imposed by the Courts below.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. On perusal of the Joint Compromise Memo, it is revealed that the entire cheque amount was paid by the petitioner and the same was also duly received by the second respondent. In view of the above, the conviction and sentenced imposed by the trial court, which were confirmed by the appellate court, cannot be sustained. As such, the impugned judgments are liable to be set aside.

6. Accordingly, the judgment dated 30.01.2024 passed by the learned Sessions Judge, Magalir Neethimandram (FTMC), Udthagamandalam, in C.A.No.20 of 2021, and the judgment dated 23.03.2021 passed by the learned Judicial Magistrate Court, Udthagamandalam in S.T.C.No.491 of 2016, are hereby set aside. The terms of Joint Compromise Memo dated 17.06.2025 shall form part and parcel of the order. The petitioner is acquitted from all the



Crl.R.C.No.807 of 2025

charges under Section 138 of the NI Act and set liberty forthwith. The bail bond, if any executed by the petitioner, shall stand cancelled. Fine amount, if any paid, shall be refunded to the petitioner forthwith.

7. In the result, this Criminal Revision Case stands allowed. Consequently, connected miscellaneous petition is closed.

19.06.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order

*Note :- Issue order copy today
ie., on 19.06.2025*

rts



CrI.R.C.No.807 of 2025

WEB COPY

To

- 1.The Sessions Judge
Magalir Neethimandram (FTMC),
Udhagamandalam.
- 2.The Judicial Magistrate,
Udhagamandalam
- 3.The Public Prosecutor of Nigirs District,
Udagamandalam.
- 4.The Superintendent,
Central Prison,
Coimbatore.



WEB COPY



Crl.R.C.No.807 of 2025

G.K.ILANTHIRAIYAN. J.

rts

Crl.R.C.No.807 of 2025 and
Crl.M.P.No.11367 of 2025

19.06.2025