



Crl.R.C.No.896 of 2018

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M.NIRMAL KUMAR, J.

This matter came up for hearing today under the caption 'For Being Mentioned' at the instance of this Court.

2.In paragraph No.8 of the order, dated 17.04.2025 in Crl.R.C.No.896 of 2018, it has been wrongly mentioned as follows:

“8.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.”

3.Accordingly, the paragraph No.8 of the order dated 17.04.2025 shall be read as follows:



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“8.In the result, the case between the petitioner and the respondent is compounded. Hence, the judgment, dated 23.09.2014 in CC.No.47 of 2013 passed by the learned Judicial Magistrate, Fast Track Court, Alandur and the judgment, dated 18.06.2018 passed by the learned Principal Sessions Judge, Kancheepuram @ Chengalpet in Crl.A.No.25 of 2014 are set aside and the revision is, accordingly, allowed. The petitioner is acquitted of all the charges levelled against him.”

4.Registry is directed to issue the fresh order copy after incorporating the necessary corrections.

14.05.2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.896 of 2018 and
Crl.M.P.No.8391 of 2025

S.Rathna

... Petitioner

Vs.

Sethuraman

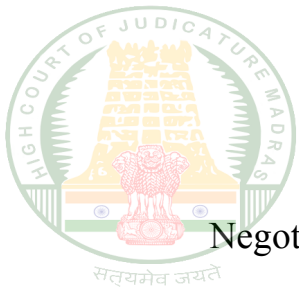
... Respondent

PRAYER: Criminal Revision Petition filed under Sections 397 & 401 of Criminal Procedure Code, to call for the records in Crl.Appeal.No.25 of 2014 on the file of the Principal Sessions Judge at Chengalpet which confirmed the orders of the Fast Track Judicial Magistrate at Alandur, in C.C.No.47/2013 and to set aside the same.

For Petitioner : Mr.J.J.R.Edwin
For Respondent : Mr.A.Suresh

ORDER

The petitioner was convicted by judgment, dated 23.09.2014 in C.C.No.47 of 2013 by the learned Judicial Magistrate, Fast Track Court, Magisterial Level, Alandur (Trial Court) for offence under Sections 138 of

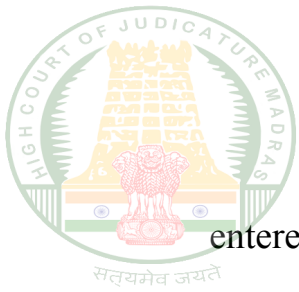


Negotiable Instruments Act, 1881 and sentenced to undergo three months

Rigorous Imprisonment and to pay the cheque amount of Rs.3,50,000/- as compensation to the respondent. Aggrieved over the judgment of the trial Court, an appeal was preferred by the petitioner before the learned Principal Sessions Judge, Kancheepuram @ Chengalpet (Lower Appellate Court) in Crl.A.No.25 of 2014. The Lower Appellate Court, by judgment dated 18.06.2018 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.3,50,000/-. He further submits that at the time of filing of revision, the petitioner paid a sum of Rs.1,00,000/- to the credit of C.C.No.47 of 2013 on the file of the Trial Court and now the petitioner paid the balance cheque amount of Rs.2,50,000/- by way of demand draft No.475660, dated 13.06.2024 drawn on Indian Bank, Puzhuthivakkam Branch, in the name of the respondent. Based on the compromise, a compounding petition in Crl.M.P.No.8391 of 2025 in Crl.R.C.No.896 of 2018 under Section 147 of Negotiable Instruments Act, 1881 has been filed to compound the offence.

3.The learned counsel for the respondent confirms the compromise



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entered between the petitioner and the respondent and also confirms the receipt of the entire cheque amount. He further submits that the respondent may be permitted to withdraw the amount of Rs.1,00,000/- deposited by the petitioner at the time of filing of revision.

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 and also receipt of the entire cheque amount.

5.The respondent/complainant has filed a compounding petition in Crl.M.P.No.8391 of 2025 in Crl.R.C.No.896 of 2018 invoking Section 147 of the Negotiable Instruments Act, 1881 to compound the offence and the same is ordered.

6.The respondent is directed to file appropriate petition/memo before the Trial Court. On such filing, the Trial Court to permit the respondent/complainant to withdraw the amount of Rs.1,00,000/- deposited by the petitioner along with the accrued interest if any, dispensing notice to the petitioner.



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WEB COPY 7. 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.

8. 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.

17.04.2025

Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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To

1. The Principal Sessions Judge,
Kancheepuram @ Chengalpet.

2. The Judicial Magistrate, Fast Track Court, Magisterial Level,
Alandur.



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