



WEB COPY

CRL RC No. 340 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL RC No. 340 of 2021

G.Ponnusamy
S/o.Mr.Ganapathy Gounder,
Residing at No.458, Water Tank Street,
Senthil Nagar, Somanur Sulur Taluk,
Semmandampalayam, Somanur,
Coimbatore-641 668.

Petitioner/Accused

Vs

M.Shanmugavadivel
S/o.Mr.Mariappa Mudaliar, 10/303,
Kamaraj Street Extn., Nayakkan
Thottam, Avinashi Town, Avinashi.

Respondent/Complainant

PRAYER: Criminal Revision Petition filed under Sections 397 r/w 401 of Cr.P.C., 1973 praying to call for the records and set aside the order and judgment dated 16.04.2021 in C.A.No.91 of 2016 passed by the learned I Additional District and Sessions Judge, Tiruppur, thereby dismissing the appeal and confirming the order and judgment of conviction and sentence dated 22.07.2016 in C.C.No.379 of 2009 passed by the learned Judicial Magistrate, Avinashi, acquit the petitioner.

For Petitioner(s): Mr.R.Baskar

For Respondent(s): Mr.M.Ganesh
For Mr.N.Manoharan



ORDER

The petitioner/Accused in C.C.No.379 of 2009 was convicted by the trial Court by the judgment dated 22.07.2016 for offence under Section 138 of the Negotiable Instruments Act ('N.I. Act') and sentenced to undergo six months simple imprisonment and to pay the cheque amount of Rs.8,00,000/- as compensation. Aggrieved against the same, the petitioner filed an appeal before the I Additional District and Sessions Judge, Tiruppur in Crl.A.No.91 of 2016. The learned Sessions Judge, by the judgment dated 16.04.2021 dismissed the appeal confirming the conviction of the trial Court, against which, the present revision is filed.

2.During the pendency of the revision, the matter was referred to the National Lok Adalat held by this Court on 13.09.2025. In the Lok Adalat, the parties arrived at a settlement and the respondent/complainant agreed to receive a further sum of Rs.5,00,000/- in full quit. The Terms of Settlement reads as follows:



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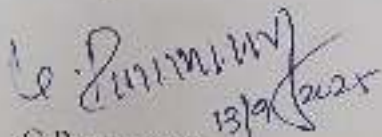
TERMS OF SETTLEMENT

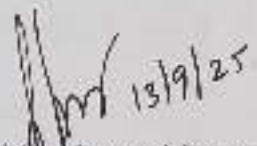
The criminal revision has been preferred by the accused challenging the concurrent findings of the Courts below.

2. The cheque amount is Rs.8,00,000/- and the revision petitioner has already paid Rs.4,00,000/- vide Demand Draft dated 16.06.2021 bearing D.D.No.500599. Though the revision petitioner, the learned counsel for the petitioner and the learned counsel for the respondent are present, the complainant is unable to present before us in view of ill health. However, on instructions, the learned counsel for the respondent states that a further sum of Rs.5,00,000/- in full quit is agreeable to the respondent. The said sum shall be paid within a period of three months from date of receipt of a copy of this order.

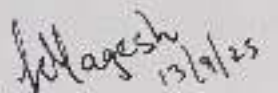
3. Recording the same, the criminal revision stands disposed of. Consequently, connected miscellaneous petition, if any, is also closed.

4. In view of the settlement, the conviction needs to be set aside and the matter may be called before the Regular Court for passing consequent orders.


G.Ponnusamy 13/9/2025


Counsel for the petitioner 13/9/25

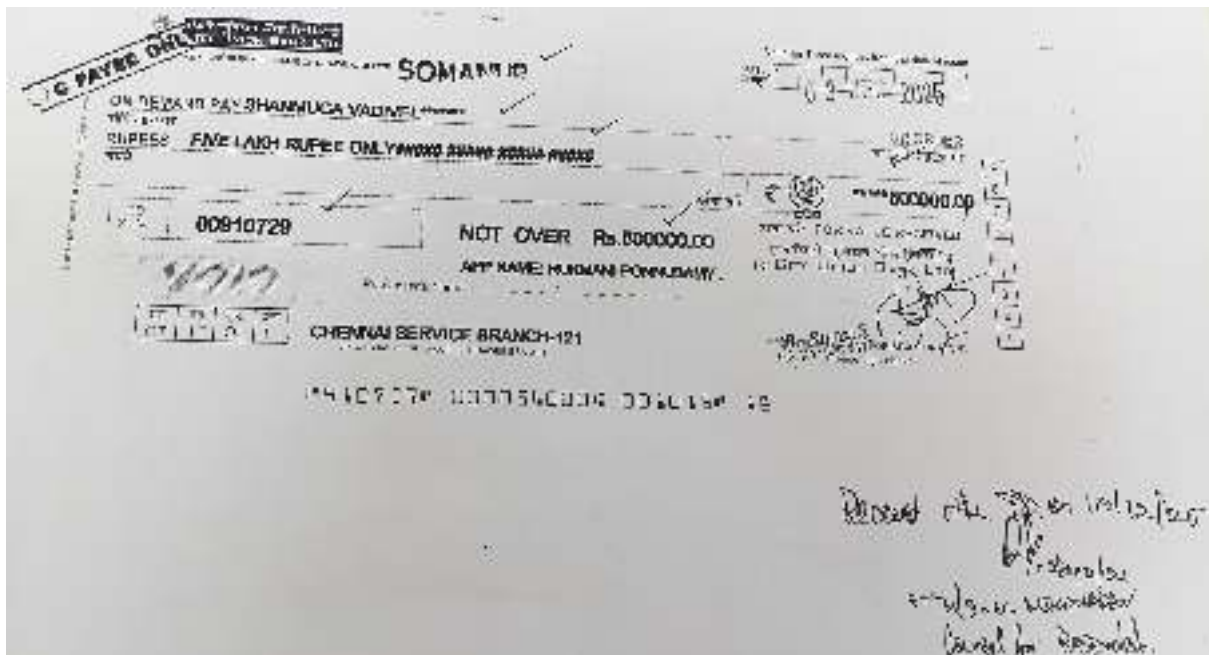

M.Shanmugavadivel 16/9/2025


Counsel for the respondent 13/9/25



3. Recording the submission of the parties, the Criminal Revision Case was disposed of by the Lok Adalat and for setting aside the conviction, the case was posted before this Court.

4. Today, the petitioner is present before this Court and he handed over a sum of Rs.5,00,000/- by way of Demand Draft. The learned counsel for the respondent received the Demand Draft and acknowledged receipt of the same. The Demand Draft is scanned hereunder:





5. In view of the compliance of the Lok Adalat order dated 13.09.2025, the judgment of conviction passed by the learned Judicial Magistrate, Avinashi dated 22.07.2016 in C.C.No.379 of 2009 and confirmed by the learned I Additional District and Sessions Judge, Tiruppur, dated 16.04.2021 in Crl.A.No.91 of 2016 are set aside. The petitioner is acquitted from all charges.

6. The compliance is recorded.

10-12-2025

rsi
Index: Yes/No
Speaking / Non-speaking order
Neutral citation : Yes/No

To

1. The I Additional District and Sessions Judge,
Tiruppur.

2. The Judicial Magistrate,
Avinashi.



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M. NIRMAL KUMAR, J.

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