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Crl.RC.No.679 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.RC.No.679 of 2022

1.S.K.D.Exports
Rep by its Partner SPN Kanagaraj
No.14/1, Selvapuram Thennampalayan, Tiruppur.

2.Mr.SPN. Kanagaraj
Partner S.K.D. Exports
office at
No.14/1, Selvapuram,
Thennampalayam Extension
Tiuppur.

.. Petitioners

-Vs-

M/s.M.K.Tex
Rep by its Partner Mr.Karthikeyan
No.27(1)/28, S.N.V.S.Layout,
4th Street, Kongu Main Road,
Tiruppur.

.. Respondent

Prayer : Criminal Revision is filed under Section 397 r/w.401 of the Criminal Procedure Code to set aside the judgment of the learned II Additional District Sessions Judge, Tiruppur in CA.No.21 of 2021 dated 21.04.2022 confirming the conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruppur in STC.No.8 of 2017 dated 26.02.2021.



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For Petitioners : Mr.S.Valarmathi
For Respondent : Mr.B.Dharani

ORDER

In continuation and conjunction to the earlier order passed by this Court on 12.03.2025, today the learned counsel for the petitioner and the respondent are present.

2. The learned counsel for the respondent confirms that the petitioner had paid the cheque amount of Rs.10,29,198/- (Rs.5,20,000/- by way of UPI transaction on various dates and Rs.5,10,000/- by way of cash). It is not disputed by the respondent/complainant.

3. The respondent/complainant though had sought for time on 12.03.2025, for filing petition under Section 147 of Negotiable Instruments Act. Today, the learned counsel for the respondent reported that Section 147 petition sent for signature of the respondent, but the respondent has not responded.

4. In this case, the cheque amount has been paid and which is not



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disputed and the same was confirmed by the counsel for the respondent/complainant before this Court and a sum of Rs.10,30,000/- paid by the petitioner and discharged the liability.

5. In view of the same, this Court set aside the conviction of the petitioner passed by the Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruppur made in STC.No.8 of 2017 dated 26.02.2021 to undergo six months simple imprisonment and to pay the cheque amount of Rs.10,29,198/- and the same is confirmed by the II Additional District and Sessions Judge, Tiruppur in CA.No.21 of 2021 dated 21.04.2022.

6. In the result, this criminal revision is allowed and the petitioner is acquitted from all the charges levelled against him.

08.04.2025

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To

- 1.The Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruppur
- 2.The II Additional District and Sessions Judge, Tiruppur

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M.NIRMAL KUMAR. J.,

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