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Crl.R.C.No.1004 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.1004 of 2024

M/s.Shine Enterprises
Proprietor, Poola Abdul Khader Saheeb,
No.19/166, Joke Palms Street,
Rameswarampet, Proddatur,
Ysr Cuddapah District - 516 360,
State Of Andhra Pradesh.

... Petitioner

..vs..

K.C.Kumaravelan

... Respondent

Criminal Revision Case filed under Sections 397 read with 401 Cr.P.C., to call for the entire records in pursuant to the Criminal Appeal in C.A.No.13 of 2020 on the file Principal District Sessions Court, Kanchipuram, Kanchipuram District vide Judgment dated 06.04.2024 confirming the Judgment in passed in STC.No.114 of 2017 on the file of Judicial Magistrate No.II, Kanchipuram, Kanchipuram District vide order dated 30.09.2020 and set aside the same.

For Petitioner	:	Mr.M.Sathish Kumar
For Respondent	:	Ms.V.Nivetha Bernice

ORDER

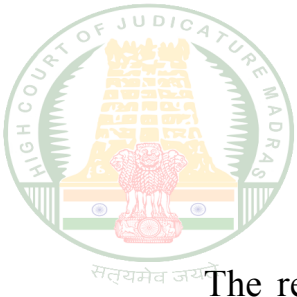


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WEB COPY This Criminal Revision Case arises out of the concurrent judgments of the Courts below, convicting the petitioner/accused-organization for the offence under Section 138 of the Negotiable Instruments Act, 1881 [hereinafter referred to as 'N.I.Act', for the sake of convenience] and sentencing to undergo simple imprisonment for a period of three months and to pay a compensation of Rs.14,00,000/- to the complainant, in default, to undergo simple imprisonment for a period of 15 days.

2. When the matter was taken up for hearing on 30.10.2024, the petitioner-accused filed an affidavit, stating that the balance cheque amount would be paid by way of four installments to the respondent-complainant and he also undertook to compound the case, in the event of the petitioner paying the cheque amount to the respondent as undertaken in the affidavit.

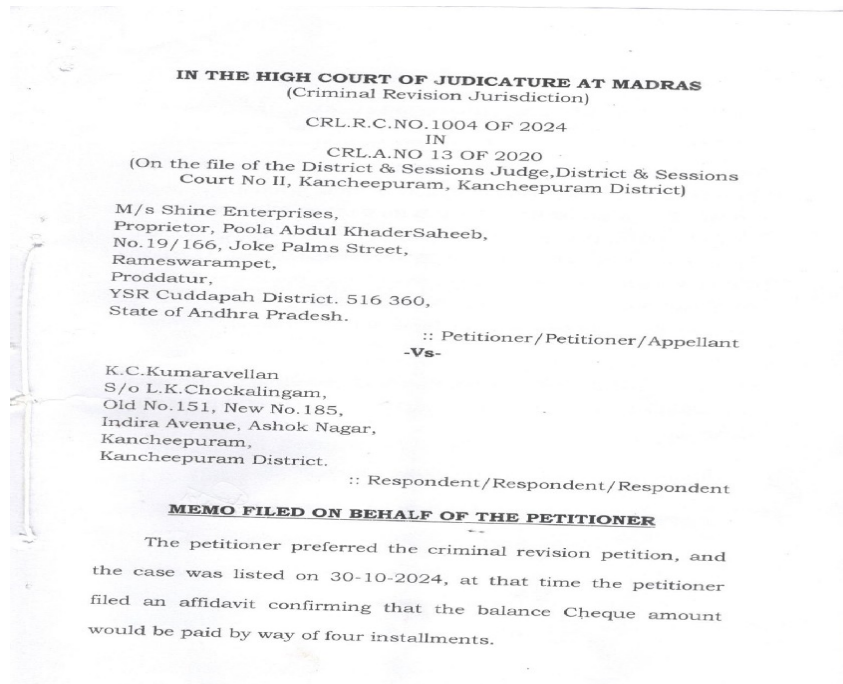
3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that as per the directions of this Court dated 30.10.2024, the petitioner-accused has paid the entire balance amount to the respondent-complainant through Demand Drafts.



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The respondent-complainant also received the said Demand Drafts. He further submitted that both the parties are ready to compound the charged offence. In that regard, the memo dated 05.03.2025 had been placed before this Court and a scanned re-production of the same is as follows:





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As per the direction issued by this Hon'ble Court in Crl.RC.No.1004 OF 2024 Dated 30-10-2024 the Petitioner complied the order as follows:

1st Installment on 25-11-2024 **D.D.No.915534** Dated 19-11-2024 (Rs.2,00,000/-), Drawn on State Bank of India Proddatur Branch.
2nd Installment on 02-01-2025 **D.D.No.915702** Dated 21-12-2024 (Rs.2,00,000/-), Drawn on State Bank of India Proddatur Branch.
3rd Installment on 27-01-2025 **D.D.No.915864** Dated 22-01-2025 (Rs.2,00,000/-), Drawn on State Bank of India Proddatur Branch.
4th Installment on 28-02-2025 **D.D.No.547367** Dated 21-02-2025 (Rs.1,00,000/-), Drawn on State Bank of India Proddatur Branch.

Hence it is humbly prayed that this Hon'ble Court may be pleased to record the same as part and parcel of the Criminal Revision in Crl.R.C.No.1004 OF 2024 on the file of this Hon'ble Court and thus Render Justice.

Dated at Chennai this 5th Day of March 2025.

K. S. Sathya
9/4/24
Counsel for Petitioner

4. Today, the respondent-complainant appeared before this Court and has admitted that he has received Demand Drafts for a sum of Rs.7,00,000/-.

5. Recording the above submissions and the Memo dated 05.03.2025, the conviction and sentence passed by the learned Judicial



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Magistrate No.II, Kanchipuram, Kanchipuram District in S.T.C.No.114 of 2017, which was confirmed by the learned Principal District Sessions Court, Kancheepuram in Crl.A.No.13 of 2020 for the offence under Section 138 of the N.I.Act., is compounded between the parties.

6. Recording the above memo, this Criminal Revision Petition is disposed of.

17.03.2025

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Case Citation : Yes / No
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To

1. The Principal District Sessions Court,
Kanchipuram, Kanchipuram.
2. The Judicial Magistrate No.II,
Kanchipuram, Kanchipuram District.



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P.VELMURUGAN, J.

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