



Crl.RC No.1281 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-12-2025

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CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 1281 of 2024

G.P.Dhevikala
D/o.G.Padmanabhan,
No.3, Jagadhambal Street,
Periyar Nagar,
Nesapakkam,
KK Nagar,
Chennai-78.

...Petitioner/Accused

Vs

G.Manikandan
S/o.M.Ganesan,
No.84,
East Vannier Street,
West KK Nagar,
Chennnai-78.

...Respondent/Complainant

PRAYER : The Criminal Revision filed under Section 397 r/w 401 of Criminal Procedure Code praying to set aside the Judgment passed in Crl.A.No.334/2023 dated 4.4.2024 on the file of XVII Addl. Sessions Judge, City Civil Court at Chennai confirming the conviction and sentence passed by the Hon'ble Metropolitan Magistrate FTC Magistrate Level-V Saidapet, Chennai-15 made in CC.No.7315/2014 dated



Crl.RC No.1281 of 2024

23.05.2023 and acquit the Petitioner/Appellant/Accused from the charges
U/s.138 of the Negotiable Instruments Act.

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For Petitioner : M/s.D.N.Dhurgasha

For Respondent : M/s. Saiguna

ORDER

The Criminal Revision Petition challenges the conviction of the petitioner for the offence under Section 138 of the Negotiable Instruments Act and sentence imposed on the petitioner to undergo simple imprisonment for six months and to pay a compensation of Rs.1,93,700/- (Rupees One Lakh Ninety Three Thousand and Seven Hundred Only) to the complainant, in default to undergo simple imprisonment for three months.

2. The gist of the allegation is that the petitioner/accused had issued a cheque for Rs.1,93,700/- (Rupees One Lakh Ninety Three Thousand and Seven Hundred Only), towards discharge of her liability; that the said cheque was presented for collection, which was returned for the reasons, “INSUFFICIENT FUNDS” and inspite of statutory notice, the petitioner did not make any payment.



CrI.RC No.1281 of 2024

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3. Both the courts below, convicted the petitioner for the offence under Section 138 of the NI Act and sentenced her to six months imprisonment, besides directing her to pay compensation of Rs.1,93,700/-.

4. It is now reported that the parties have now entered into a compromise and filed a Joint Compromise Memo dated 27.11.2025. The scanned copy of the Joint Memo of Compromise dated 27.11.2025 duly signed by the petitioner and the respondent and the learned counsel for both parties, is as follows:



CrL.RC No.1281 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

CrL Revision.No.1281/2024
Against
CrI.A.No.334/2023
(On the file of XVII Addl. Sessions Judge, City Civil Court at Chennai)
Against
CC.No.7315/2014
(On the file of Metropolitan Magistrate FTC Magistrate Level-V Saidapet, Chennai-15)

G.P.Dhevikala, F/a.47
D/o.G.Padmanabhan,
No.3 Jagadhambal Street,
Periyar Nagar, Nesapalkam
KK Nagar, Chennai-78

..Petitioner/Appellant/Accused

-Vs-

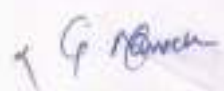
G.Manikandan M/a.38
S/o.M.Ganesan
No.84 East Vannier Street,
West KK Nagar, Chennai-78

..Respondent/Respondent/Complainant

JOINT COMPROMISE MEMO FILED BY BOTH PARTIES

The Petitioner/Appellant/Accused respectfully submits as follows:-

1. The Petitioner/Accused and the Respondent/Complainant respectfully submit that the above Criminal Revision arises from the conviction and sentence passed in CC.No.7315/2014 dated 23.5.2023 on the file of the learned Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15, in a complaint filed under Sec.138 of the Negotiable Instruments Act, 1881.
2. The trial Court convicted the petitioner/accused and directed the accused to pay a sum of Rs.1,93,700/-.



Crl.RC No.1281 of 2024

WEB COPY

3. During pendency of the appeal Crl.A.No.334 of 2023 dated 4.4.2024 on the file of the XVII Addl Sessions Judge, City Civil Court at Chennai, the accused deposited:

- Rs.38,740/- before the Trial Court as per order of the Appellate Court, and
- Rs.58,110/- before the Trial Court as per order of the Hon'ble High Court.
- Thus, a total sum of Rs.96,850/- stands deposited before the learned Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15.

4. Pending this Criminal Revision, the parties have amicably settled the entire dispute out of Court.

5. As per the final settlement, the accused has paid the balance amount of Rs.96,850/- (Rupees Ninety Six Thousand Eight Hundred & Fifty Only) to the Respondent/complainant by way of Demand Draft having the following particulars:

- Demand Draft No: 001160 and Ref No: 011313001327
- Dated: 27.11.2025
- Drawn on: Equitas, Small Finance Bank, KK Nagar, Chennai-600078
- In favour of: G.MANIKANDAN

The respondent/complainant hereby acknowledges receipt of the above Demand Draft.

6. By receiving this DD amount, the complainant confirms that ₹193,700/- (full cheque amount) stands fully settled, including the deposits made before the District Court and High Court.

7. The Respondent/Complainant states that:

- He has no further claim, monetary or otherwise, against the accused,
- The settlement is full and final, and



Crl.RC No.1281 of 2024

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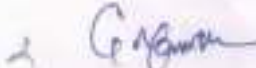
(3)

• The compromise is entered into voluntarily without any coercion or pressure.

In view of the above settlement, both parties jointly pray that this Hon'ble Court may be pleased to:-

- Permit the parties to compound the offence under Section 147 of the Negotiable Instruments Act, 1881.
- Set aside the conviction and sentence passed in ~~CC.No.3099/2019~~ ^{1315/2014} (and confirmed in **Crl.A.No.334/2023 dated 4.4.2024** on the file of XVII Addl. Sessions Judge, City Civil Court at Chennai
- Direct the Trial Court i.e., Metropolitan Magistrate FTC Magistrate Level-V Saidapet, Chennai-15 to permit the respondent/complainant to withdraw/ payment out the amount of **Rs.96,850/-** deposited by the petitioner/accused.
- Close this Criminal Revision Petition.

Dated at Chennai this the 27th day of November 2025

 Petitioner/Accused	 Respondent/Complainant
 Counsel for Petitioner/Accused	 Counsel for Respondent/Complainant



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5. M/s.D.N.Dhurgasha, the learned counsel for the respondent/complainant, confirms the compromise and submitted that the respondent has agreed to receive Rs.1,93,700/- (Rupees One Lakh Ninety Three Thousand Seven Hundred Only) in full and final settlement of his claims and has also prayed that the Judgments of conviction and sentence may be set aside. The respondent has received a sum of Rs.96,850/- on 27.11.2025 by a Demand Draft and has agreed to withdraw the amount of Rs.96,850/- deposited to the credit of C.C.No.7315 of 2014.

6. In view of the compromise arrived at and since the offence under Section 138 of the Negotiable Instruments Act, is compoundable, this Court is inclined to accept the Joint Compromise Memo dated 27.11.2025 and set aside the conviction and sentence imposed on the petitioner by the trial Court.

7. Accordingly, the Joint Compromise Memo dated 27.11.2025 is taken on file. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 27.11.2025. The conviction and sentence imposed upon the petitioner vide judgment dated 23.05.2023 made in



Crl.RC No.1281 of 2024

C.C.No.7315 of 2014, by the learned Metropolitan Magistrate, Fast Track Court - V, Saidapet, Chennai – 600 015 and confirmed by the Judgment dated 04.04.2024 made in Crl.A.No.334 of 2023 passed by the learned XVIII Additional Sessions Judge, City Civil Court, Chennai, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

8. The respondent/complainant is permitted to withdraw Rs.96,850/- [Rupees Ninety Six Thousand Eight Hundred and Fifty Only] deposited in the trial Court, with accrued interest, by filing appropriate application. Fine amount, if any, paid by the petitioner shall be refunded. Bail bond, if any, executed shall stand discharged.

12-12-2025

dk

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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Crl.RC No.1281 of 2024

SUNDER MOHAN, J.

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Crl.R.C.No.1281 of 2024

12.12.2025