



CRL R.C. No.628 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 22.05.2025

CORAM:

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

CRL R.C. No.628 of 2025

and Crl. M.P. Nos.10153 and 10140 of 2025

C.D. Pannerselvam S/o. Devarajan ... Petitioner/Appellant/Accused

Vs

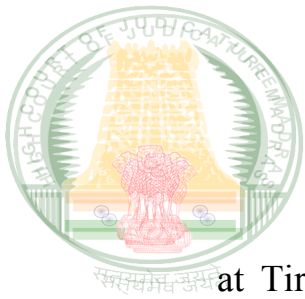
P. Sivaraman S/o. Periyannan ... Respondent/Respondent/
Complainant

PRAYER in Crl. R.C. No.628 of 2025: - The Criminal Revision

Petition is filed under Section 397& 401 of Cr.P.C. [438 r/w 442 of B.N.S.S.], praying to set aside the order dated 04.12.2020 passed in Crl. Appeal No.25 of 2020 on the file of the Principal District & Sessions Judge, Namakkal confirming the order dated 22.01.2020 passed in S.T.C. No.361 of 2017 by the Judicial Magistrate, Fast Track Court, Tiruchengode.

PRAYER in Crl. M.P. No.10153 of 2025 - The Criminal Miscellaneous

Petition is filed under Section 147 of N.I. Act to permit the petitioner to compound the offence and set aside the judgment dated 22.01.2020 passed in S.T.C. No.361 of 2017 on the of the Judicial Magistrate (FTC)



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at Tiruchengode and confirmed by the Principal District and Sessions Judge, Namakkal in Crl. Appeal No.25 of 2020 dated 04.12.2020.

PRAYER in Crl. M.P. No.10140 of 2025 - The Criminal Miscellaneous

Petition is filed under Section 5 of Limitation Act to condone delay of 1087 days in filing the above Criminal Revision petition against the order passed in Crl. Appeal No.25 of 2020 on the file of the Principal District and Sessions Judge, Namakkal dated 04.12.2020 confirming the order passed in S.T.C. No.361 of 2017 on the file of the Judicial Magistrate, Fast Track Court, Tiruchengode vide order dated 22.01.2020.

For Petitioner : M/s. D. Rameshkumar
[3 petitions]

For Respondent : Mr. T.L. Thirumalaisamy
[3 petitions]

COMMON ORDER

The Criminal Revision case is filed praying to set aside the order dated 04.12.2020 passed in Crl. Appeal No.25 of 2020 on the file of the learned Principal District and Sessions Judge, Namakkal confirming the order dated 22.01.2020 passed in S.T.C. No.361 of 2017 on the file of the Judicial Magistrate, Fast Track Court, Tiruchengode.

2. The Criminal Miscellaneous Petition in Crl. M.P. No.10153 of 2023, filed to permit the petitioner to compound the offence and set aside



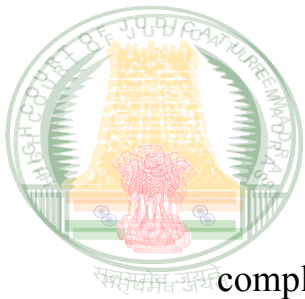
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the judgment dated 22.01.2020 passed in S.T.C. No.361 of 2017 which was confirmed in Crl. Appeal No.25 of 2020 dated 04.12.2020 and the Criminal Miscellaneous Petition in Crl. M.P. No.10140 of 2025, filed to condone delay of 1087 days in filing the above Criminal Revision Petitionordered, are ordered.

3. A case was registered under Section 138 of Negotiable Instruments Act, which was taken on the file of the learned Judicial Magistrate, Fast Track Court, Tiruchengode in S.T.C. No.361 of 2017. After the trial, the accused was convicted and sentenced to under one year simple imprisonment as per Section 255(2) of Cr.P.c. and also directed to pay a sum of Rs.4 lakhs as compensation to the complainant within a period of one month. Against which, the accused preferred a criminal appeal before the learned Principal District and Sessions Judge, Namakkal in Crl. Appeal No.25 of 2020 and the Appellate Court had confirmed the order of the trial Court vide order dated 04.12.2020. Challenging the said order passed in criminal appeal, the present revision case is filed.

4. When the case was taken up for hearing today, the defacto



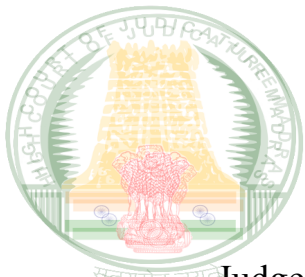
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complainant appeared before this Court and submitted that the entire amount was paid by the accused. Since after conviction, the accused was confined under imprisonment, the wife of the accused namely Jothi W/o. Paneerselvam. The defacto complainant and the wife of the accused have been recognized by the respective counsels and the defacto complainant admitted that he has received the cheque amount in total. The receipt of Rs.4 lakhs in favour of the complainant is duly attested by both the wife of the accused and the defacto complainant. As the entire amount is settled, the respective counsels have submitted that further adjudication is not required and the matter has been amicably settled in view of the settlement between both the parties.

5. Both the parties have filed a Joint Compromise Memo dated 22.05.2025 and the entire amount has been settled and it is duly accepted by the defacto complainant and endorsed by the wife of the accused. The said compromise memo shall form a part and parcel of this order.

6. Recording the same, the judgment dated 22.01.2020 passed in S.T.C. No.361 of 2017 on the file of the Judicial Magistrate, Fast Track Court, Tiruchengode confirmed by the Principal District and Sessions



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Judge, Namakkal vide order in Crl. Appeal No.25 of 2020 dated 04.12.2020 is hereby quashed.

7. In view of the fact that the entire amount has been settled, the appellant who has now been detained in Central Prison, Salem in the above case in S.T.C. No.361 of 2017 shall be released immediately and the web copy of this order shall be taken into consideration by the Prison authorities to set the accused at liberty.

8. Accordingly, the Criminal Revision case is allowed.

22.05.2025

mjs

To

1. The Principal District and Sessions Judge,
Namakkal.
2. The Judicial Magistrate,
Fast Track Court (Magisterial Level),
Tiruchengode.
3. The Public Prosecutor, High Court, Madras.

Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**

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2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

N.SENTHILKUMAR, J.

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