



Crl.RC.Nos. 1126 to 1129 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.RC.Nos. 1126 to 1129 of 2024
and 1142 to 1144, 1147, 1149, 1154, 1160 and 1176 of 2024

Crl.RC.No. 1126 of 2024

P.Kandasamy
S/o. Perumal Gounder

... Petitioner

Vs

M/s. Rajhakalai Finance,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years
S/o. P.Alagesan,
Akilandamman Street,
Dhoramangalam Village, Jalakandapuram Post,
Mettur Taluk, Salem District.

... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 24 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 511 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.



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Crl.RC.No. 1127 of 2024

P.Kandasamy

S/o. Perumal Gounder

... Petitioner

Vs

M/s. Rajhakalai Finance,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years

S/o. P.Alagesan,

Akilandamman Street,

Dhoramangalam Village, Jalakandapuram Post,

Mettur Taluk, Salem District.

... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 31 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 562 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

Crl.RC.No. 1128 of 2024

S.K. Shanmugam

S/o. P.Kandasamy

... Petitioner

Vs

M/s. Rajhakalai Finance,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years

S/o. P.Alagesan,

Akilandamman Street,

Dhoramangalam Village, Jalakandapuram Post,

Mettur Taluk, Salem District.

... Respondent



Crl.RC.Nos. 1126 to 1129 of 2024

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 27 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 415 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

Crl.RC.No. 1129 of 2024

P.Kandasamy
S/o. Perumal Gounder

... Petitioner

Vs

M/s. Sri Manikandan Constructions,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years
S/o. P.Alagesan,
Akilandamman Street,
Dhoramangalam Village, Jalakandapuram Post,
Mettur Taluk, Salem District.

... Respondent

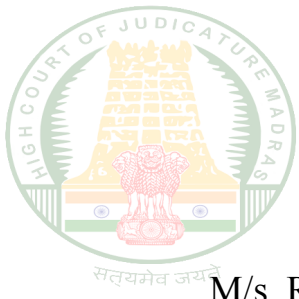
PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 28 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 423 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

Crl.RC.No. 1144 of 2024

S.K.Shanmugam
S/o. P.Kandasamy

... Petitioner

Vs



Crl.RC.Nos. 1126 to 1129 of 2024

M/s. Rajhakalai Finance,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years
S/o. P.Alagesan,
Akilandamman Street,
Dhoramangalam Village, Jalakandapuram Post,
Mettur Taluk, Salem District.

... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in Crl.A.No. 25 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 412 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

Crl.RC.No. 1154 of 2024

P.Kandasamy
S/o. Perumal Gounder

... Petitioner

Vs

A.Chellapillai,
S/o. P.Alagesan,

... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in Crl.A.No. 34 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 424 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.



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Crl.RC.No. 1160 of 2024

P.Kandasamy
S/o. Perumal Gounder ... Petitioner

Vs.

M/s. Rajhakalai Finance,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years
S/o. P.Alagesan,
Akilandamman Street,
Dhoramangalam Village, Jalakandapuram Post,
Mettur Taluk, Salem District. ... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 23 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 563 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

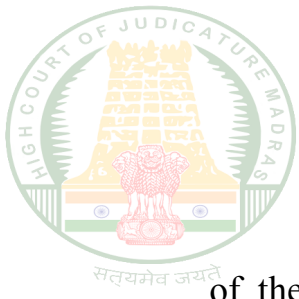
Crl.RC.No. 1176 of 2024

P.Kandasamy
S/o. Perumal Gounder ... Petitioner

Vs.

M/s. Vaira Manikandan Finance,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years
S/o. P.Alagesan,
Akilandamman Street,
Dhoramangalam Village, Jalakandapuram Post,
Mettur Taluk, Salem District. ... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401



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of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 29 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 453 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

Crl.RC.No. 1147 of 2024

P.Jayalakshmi

W/o. S.K.Shanmugam

... Petitioner

Vs

M/s. Vaira Manikandan Finance,

Rep. By its Managing Partner

A.Chellapillai, aged 55 years

S/o. P.Alagesan,

Akilandamman Street,

Dhoramangalam Village, Jalakandapuram Post,

Mettur Taluk, Salem District.

... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 21 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 166 of 2008 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.



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Crl.RC.No. 1149 of 2024

P.Kandasamy

S/o. Perumal Gounder

... Petitioner

Vs

M/s. Sri Manikandan Finance,

Rep. By its Managing Partner

A.Chellapillai, aged 55 years

S/o. P.Alagesan,

Akilandamman Street,

Dhoramangalam Village, Jalakandapuram Post,

Mettur Taluk, Salem District.

... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 30 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 413 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

Crl.RC.No. 1142 of 2024

P.Kandasamy

S/o. Perumal Gounder

... Petitioner

Versus

A.Chellapillai,

S/o. P.Alagesan

... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in Crl.A.No. 33 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 454 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.



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WEB COPY **Crl.RC.No. 1143 of 2024**

P.Kandasamy
S/o. Perumal Gounder ... Petitioner

Versus

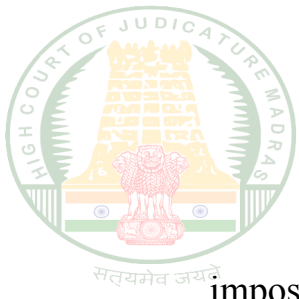
M/s. Vaira Manikandan Finance,
Rep. By its Managing Partner
A.Chellapillai, aged 55 years
S/o. P.Alagesan,
Akilandamman Street,
Dhoramangalam Village, Jalakandapuram Post,
Mettur Taluk, Salem District. ... Respondent

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment passed in CrlA.No. 32 of 2022 by the Additional District Judge, FTC, Mettur on 04.06.2024 by confirming the Judgment passed in STC No. 410 of 2007 by the Judicial Magistrate No.II, Mettur on 28.03.2022 and pass such further or other orders.

For Petitioner : M/s.K.Priya
(in all Petitions)
For Respondent : Mr. J.Ramakrishnan
(in all Petitions)

COMMON ORDER

These revision petitions have been filed against the orders passed in various Criminal Appeals on the file of the Additional District Judge, FTC, Mettur, thereby confirming the orders of conviction and sentence



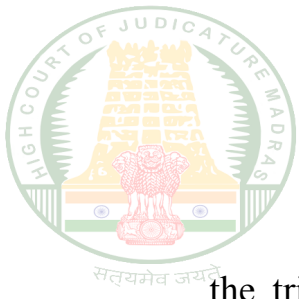
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imposed by the Trial Court in various STCs on the file of the Judicial Magistrate No. II, Mettur, for the offences punishable under Section 138 of the Negotiable Instruments Act.

2. The petitioners are the accused in the complaints lodged by the respondents, filed under Section 138 of the Negotiable Instruments Act, alleging that, though the petitioners were registered under the TWAD Board Contract, they borrowed a substantial sum of money from the respondent-finance company and agreed to repay the said amount along with interest at the rate of 15% per annum. Accordingly, an agreement was entered into with the respondent-finance. In order to repay the said loan amount, the petitioners issued cheques. However, all the cheques were returned dishonoured for the reason 'Funds insufficient'. After issuing a statutory notice, the respondent filed the complaints.

3. On the side of the respondents, two witnesses were examined as PW1 and PW2, and 11 documents were marked as Exhibits P1 to P11. On the side of the petitioner, no witnesses were examined, and no documents were marked. Based on the oral and documentary evidence,



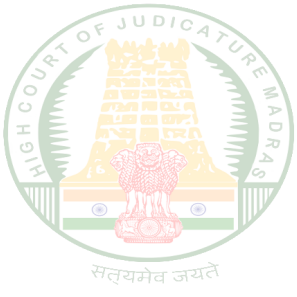
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the trial Court convicted the petitioner and sentenced him to undergo simple imprisonment for a period of one year and three months. Aggrieved by the said conviction and sentence, the petitioners filed appeals before the Appellate Court, which were dismissed, confirming the trial Court's decision. Hence, the present revision petitions have been filed.

4. Pending the revision petitions, the petitioners and the respondents attempted to an amicable settlement. Consequently, all the matters were referred to mediation. However, as no settlement was reached during the mediation proceedings, the cases were referred back to this Court for further consideration.

5. The learned counsel for the petitioners submitted that, while the cases were pending before this Court, the petitioners paid a substantial portion of the cheque amount, which the respondent also accepted. In respect of remaining agreed amount, the petitioners have undertaken to pay the same within a period of six weeks from today. The respondent has also agreed to the above settlement terms.



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6. In view of the above undertaking, the conviction and sentence imposed by the Trial Court and confirmed by the Appellate Court in all these cases are set aside, and these revision petitions are ***allowed***, on the condition that the petitioners shall pay the remaining agreed amount in all the cases to the respondents on or before 04.08.2025. Failing which, the order of conviction and sentence imposed by the Trial Court and confirmed by the Appellate Court in all the cases shall stand automatically restored. The respondents are at liberty to proceed against the petitioners to enforce the order of conviction and sentence imposed by the trial Court and confirmed by the Appellate Court in all these revisions.

30.06.2025

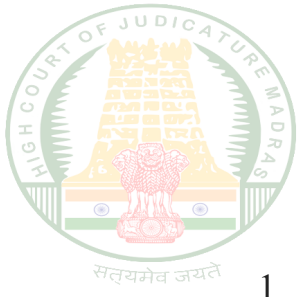
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G.K.ILANTHIRAIYAN. J,

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1. The Additional District Judge (FTC),
Mettur.
2. The Judicial Magistrate No. II,
Mettur.

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