



*Crl.R.C.No.79 of 2023*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.79 of 2023

P.Sivasamy

... Petitioner

Vs.

B.Padmavathi

... Respondent

**PRAYER:** Criminal Revision has been filed under Sections 39 & 401 of the Cr.P.C., praying to set aside the conviction and sentence dated 28.04.2022 made in C.A.No.113 of 2019 on the file of the V District & Session Court, Coimbatore, confirming the conviction and sentence dated 04.03.2019 made in C.C.No.599 of 2017 on the file of Fast Track Court II, (Magistrate Level) Coimbatore, the sentencing the petitioner to undergo simple imprisonment for 6 months and to pay a compensation of Rs.1,50,000/- to the respondent.

For Petitioner : Mr.C.D.Johnson

For Respondent : Mr.R.C.Paul Kanagaraj

**ORDER**

This Criminal Revision Case has been preferred against the judgment dated 28.04.2022, passed by the learned V Additional District & Session Judge, Coimbatore, in C.A.No.113 of 2019, confirming the conviction



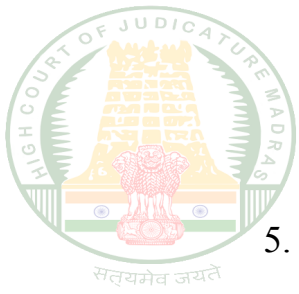
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and sentence imposed on the petitioner dated 04.03.2019, passed by the learned Judicial Magistrate, Fast Track Court II, (Magistrate Level) Coimbatore, in C.C.No.599 of 2017, thereby convicting the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act (hereinafter referred to as “the NI Act”)

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner is ready and willing to settle the entire cheque amount. He also produced two demand drafts for a sum of Rs.1,00,000 & Rs.50,000/- respectively, towards the entire cheque amount before this Court. Hence, he prayed to allow the revision case.

4. The learned counsel appearing for the respondent also received the Demand Drafts and he has no objection to set aside the conviction and sentence imposed by the trial Court and the appellate Court.



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5. Considering the above submissions, the conviction and sentence

imposed on the petitioner cannot be sustained and liable to be dismissed.

Accordingly, judgment dated 28.04.2022, passed by the learned V Additional District & Session Judge, Coimbatore, in C.A.No.113 of 2019, and the order dated 04.03.2019, passed by the learned Judicial Magistrate, Fast Track Court II, (Magistrate Level) Coimbatore, in C.C.No.599 of 2017, are hereby set aside. The petitioner is acquitted from all the charges under Section 138 of the NI Act and set liberty forthwith. The bail bond, if any executed by the petitioner, shall stand cancelled.

6. In the result, the Criminal Revision Case stands allowed.

23.06.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order

rts



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**G.K.ILANTHIRAIYAN. J,**

rts

To

1.The V Additional District & Session Judge,  
Coimbatore.

2.The Judicial Magistrate,  
Fast Track Court II, (Magistrate Level)  
Coimbatore.

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