



Crl.R.C.No.1341 & 1342 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

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

Crl.R.C.Nos.1341 & 1342 of 2024

Latha Gandhi
W/o.Mr.Gandhi
Proprietrix
M/s.Evergreen IT needs
presently having office and residing at
Plot No.56, Flat No.B-1
Ashtalakshmi Nagar
Alapakkam, Porur
Chennai-600 116

... Petitioner **in both Crl.R.Cs.**

Vs.

M/s.Redington (India) Ltd.,
Represented by
Mr.M.Sundararajan
Senior Legal Executive
SPL Guindy House
95, Mount Road
Guindym Chennai-600 032

... Respondent **in both Crl.R.Cs**

PRAYER IN Crl.R.C.No.1341 of 2024: Criminal Revision case has been filed under Section 438(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order of the Hon'ble XXIII Additional City Civil Court, Chennai, dt.21.06.2024 in C.A.No.186 of 2021, confirming the Judgment of conviction dt.29.10.2021 passed by the learned



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Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15 in C.C.No.926 of 2013 and consequently acquit the petitioner of the charge U/s.138 of the Negotiable Instruments Act.

PRAYER IN Crl.R.C.No.1342 of 2024: Criminal Revision case has been filed under Section 438(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order of the Hon'ble XXIII Additional City Civil Court, Chennai, dt.21.06.2024 in C.A.No.185 of 2021, confirming the Judgment of conviction dt.29.10.2021 passed by the learned Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15 in C.C.No.3195 of 2013 and consequently acquit the petitioner of the charge U/s.138 of the Negotiable Instruments Act.

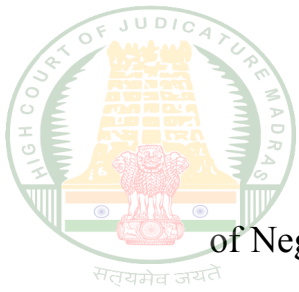
In both Crl.R.Cs

For Petitioner : Mr.N.Iyyakannu

For Respondent : Mr.V.T.Narendiran

COMMON ORDER

These Criminal Revisions cases have been filed to set aside the Judgment dated 21.06.2024 in C.A.Nos.186 & 185 of 2021 on the file of the XXIII Additional City Civil Court, Chennai thereby confirming the order of sentence by the trial court in C.C.Nos.926 & 3195 of 2013 dated 29.10.2021 respectively, on the file of the Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15 for the offences under section 138



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of Negotiable Instruments Act.

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2. The petitioner is the accused in the complaints lodged by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act alleging that the respondent is engaged in the business of selling computer goods and peripherals. The petitioner had placed order for purchase of computer peripherals and accordingly goods were supplied under 11 invoices between 10.08.2011 to 16.12.2011 in total to the tune of Rs.45,99,074/-. In order to repay the said amount, the petitioner issued cheques and all the cheques were presented for collection. But all the cheques were dishonored for reason insufficient funds. After issuing show cause notice, the respondent filed two complaints. The respondent had examined P.W.1 and marked exhibits Ex.P1 to Ex.P11. On the side of the petitioner, he had examined D.W.1 and marked Ex.D1 & Ex.D2.

3. On perusal of the oral and documentary evidences, the trial court found the petitioner guilty for the offences punishable under Section 138 of Negotiable Instruments Act and convicted and sentenced him to undergo simple imprisonment for a period of nine months and to



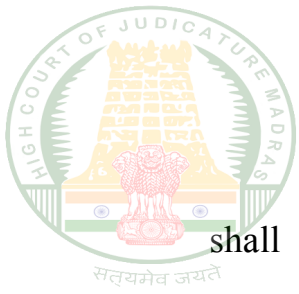
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pay the cheques amount as compensation to the complainant. Aggrieved by the same, the petitioner preferred two Appeals and both were dismissed confirming the order of conviction and sentence imposed by the trial court. Hence the present revision cases.

4. The learned counsel appearing for the petitioner submitted that while pending Revisions, he had settled almost the entire cheque amount and right now only a sum of Rs.4,00,000/- is due to the respondent. He further submitted that within a period of six weeks, the said amount also will be settled to the respondent.

5. The learned counsel appearing for the respondent also confirmed the receipt of payments and the due amount.

6. In view of the above, the Judgment dated 21.06.2024 passed in Criminal Appeal No.186 & 185 of 2021 by the XVIII additional City Civil Court, Chennai and the conviction and sentence imposed on the petitioner by the Trial Court in C.C.Nos.926 & 3195 of 2013 on the file of the Court of the Metropolitan Magistrate Fast Track Court No-V, Saidapet, Chennai are hereby set aside on condition that the petitioner



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shall pay the due amount of Rs.4,00,000/- on or before 18.08.2025

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7. Accordingly, these Criminal Revision Cases are allowed

09.07.2025

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order

Nhs

To

1. The learned XVIII additional City Civil Court,
Chennai
2. The learned Metropolitan Magistrate Fast Track Court No-V,
Saidapet, Chennai.



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G.K.ILANTHIRAIYAN, J

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