



Crl.RC.No.1157 of 2025

Crl.RC.No.1157 of 2025

G.K.ILANTHIRAIYAN, J.

At the instance of the learned counsel appearing for the petitioner, today this matter has been posted under the caption “for being mentioned”.

2. Heard, the learned counsel appearing on either side.

3. On hearing the submissions of the learned counsel appearing for the petitioner, it is ordered that the entire sixth paragraph of the order passed in Crl.RC.No.1157 of 2025 dated 29.07.2025 shall read as follows:

6. In view of the above, the Judgment dated 02.05.2025 passed in Crl.A.No.119 of 2023 on the file of the Sessions Judge, The Special Court for Trial of Cases registered under SC/ST (PoA) Act, Namakkal, is hereby set aside. The petitioner is permitted to withdraw the amount, which was already deposited by the petitioner to the credit of Trial Court in C.C.No.704 of 2021, by filing an appropriate application. It is made clear that the Trial Court is directed to permit the petitioner to withdraw the amount, without ordering notice. The terms of Joint Memo of



Crl.RC.No.1157 of 2025

Compromise shall form part and parcel of this order.

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4. Accordingly, the Registry is directed to issue a fresh order copy in
Crl.RC.No.1157 of 2025 dated 29.07.2025 after making necessary corrections.

28.11.2025

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CrI.RC.No.1157 of 2025



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CrI.RC.No.1157 of 2025

G.K.ILANTHIRAIYAN, J.

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CrI.RC.No.1157 of 2025

28.11.2025



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Crl.RC.No.1157 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2025

CORAM:

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

Crl.R.C.No.1157 of 2025

and

Crl.M.P.No.14247 of 2025

Nalina

..... Petitioner

Vs

S.Tensing

..... Respondent

Prayer: Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the judgement dated 02.05.2025 passed by the learned Sessions Judge/The Special Court for Trial of cases Registered under SC/ST (POA) Act, Namakkal in Crl.A.No.119 of 2023 confirming the conviction of the petitioner under Section 138 of Negotiable Instrument Act and sentence of 6 months simple Imprisonment and compensation of Rs.30,00,000 impugned by judgement dated 03.07.2023 passed by the learned Judicial Magistrate No.II, Namakkal in C.C.No.704 of 2021.

For Petitioner : Mr.L.Mouli

For Respondent : Mr.S.Koushik



Crl.RC.No.1157 of 2025

ORDER

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This Criminal Revision Case has been filed challenging the Judgment dated 02.05.2025 passed in Crl.A.No.119 of 2023 on the file of the Sessions Judge, The Special Court for Trial of Cases registered under SC/ST (PoA) Act, Namakkal, thereby confirming the conviction and sentence imposed on the petitioner, by judgement dated 03.07.2023 in C.C.No.704 of 2021 on the file of the Judicial Magistrate No.II, Namakkal, for the offence punishable under Section 138 of the Negotiable Instruments Act.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is the accused in the complaint lodged by the respondent for the offence punishable under Section 138 of the Negotiable Instruments Act. It is alleged that the petitioner received a sum of Rs.30,00,000/- for subscribing to a chit but failed to settle the same. In order to repay the same, the petitioner issued a cheque. However, when the said cheque was presented for collection, it was returned dishonoured. After causing a statutory notice, the respondent filed a complaint.

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4. After full-fledged trial, the petitioner was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and was sentenced to undergo simple imprisonment for a period of six months. The Trial Court also awarded a compensation to the cheque amount. Aggrieved by the same, the petitioner preferred an appeal and the same was dismissed and confirming the order passed by the Trial Court.

5. Pending the present revision, the parties entered into an amicable settlement and also filed a Joint Memo of Compromise dated 28.07.2025. The learned counsel appearing for the respondent submitted that, in view of the settlement, she has no objection to setting aside the conviction and sentence imposed by the Trial Court.

6. In view of the above, the Judgment dated 02.05.2025 passed in Crl.A.No.119 of 2023 on the file of the Sessions Judge, The Special Court for Trial of Cases registered under SC/ST (PoA) Act, Namakkal, is hereby set aside. The respondent is permitted to withdraw the amount, which was already deposited by the petitioner to the credit of Trial Court in C.C.No.704 of 2021, by filing an appropriate application. It is made clear that the Trial Court is



Crl.RC.No.1157 of 2025

directed to permit the respondent to withdraw the amount, without ordering notice. The terms of Joint Memo of Compromise shall form part and parcel of this order.

7. In the result, this Criminal Revision Case stands allowed.

Consequently, connected miscellaneous petition is closed.

29.07.2025

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

The Sessions Judge,
The Special Court for Trial of Cases registered
under SC/ST (PoA) Act,
Namakkal.



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Crl.RC.No.1157 of 2025

G.K.ILANTHIRAIYAN. J,

Lpp

Crl.R.C.No.1157 of 2025



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CrI.RC.No.1157 of 2025

29.07.2025