



Crl.RC.No.1400 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2025

CORAM:

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

Crl.RC.No.1400 of 2025 and
Crl.MP.No.15441 of 2025

P.Kannan

... Petitioner

Vs.

P.Devendran

.. Respondent

PRAYER: Criminal Revision Case filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order judgment passed in Crl.A.No.40 of 2015 dated 14.06.2016 on the file of the Principal District and Sessions Judge at Namakkal in confirming the order of conviction dated 11.09.2015 passed in STC.No.302 of 2013 on the file of the Fast Track Court, Magisterial Level, Tiruchengode, Namakkal and sentencing the petitioner to undergo simple imprisonment of four months for the offence under Section 138 of the Negotiable Instruments Act, 1882 and to pay fine of Rs.5,000/- in default, to undergo simple imprisonment of one month under Section 357 of the Criminal Procedure Code, 1973.

For Petitioner : Mr.Deepanuday



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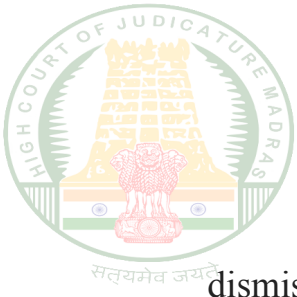
For Respondent : M/s.S.Kruithika

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ORDER

This criminal revision case has been preferred against the judgment passed in CrI.A.No.40 of 2015 dated 14.06.2016 on the file of the Principal District and Sessions Judge at Namakkal confirming the order of conviction dated 11.09.2015 passed in STC.No.302 of 2013 on the file of the Fast Track Court, Magisterial Level, Tiruchengode, Namakkal and sentencing the petitioner to undergo simple imprisonment for four months for the offence under Section 138 of the Negotiable Instruments Act, 1882 and to pay fine of Rs.5,000/- in default, to undergo simple imprisonment of one month.

2. The petitioner is the accused in the complaint lodged by the respondent for the offence punishable under Section 138 of NI Act. After full-fledged trial, the trial court convicted the petitioner for the offence punishable under Section 138 of NI Act and sentenced him to undergo four months simple imprisonment. The petitioner was also ordered to pay fine of Rs.5,000/-, in default to undergo one month simple imprisonment. Aggrieved by the same, the petitioner preferred appeal and the same was



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dismissed, thereby confirming the order of conviction and sentence imposed by the trial court. Hence, this criminal revision case has been filed by the accused.

3. The learned counsel for the petitioner would submit that the matter has been settled amicably between the parties by payment of cheque amount. He also filed panchayat deed of agreement entered into between the parties. The learned counsel for the respondent also confirmed the same and submitted that the respondent has no objection to set aside the impugned the judgments.

4. In view of the above, this Court is inclined to set aside the impugned judgments. Accordingly, the judgment passed in CrI.A.No.40 of 2015 dated 14.06.2016 on the file of the Principal District and Sessions Judge at Namakkal and the judgment passed in STC.No.302 of 2013 dated 11.09.2015 on the file of the Fast Track Court, Magisterial Level, Tiruchengode, Namakkal, are set aside. The petitioner is acquitted of all the charges for the offence under Section 138 of NI Act. The aforesaid panchayat deed of agreement shall form part and parcel of this order. The



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petitioner is directed to be set at liberty forthwith unless his custody is otherwise required in connection with any other case. Fine amount, if any paid, shall be refunded to the petitioner forthwith. Bail bond, if any executed, shall stand cancelled.

6. In the result, this criminal revision case stands allowed.

Consequently, connected miscellaneous petition is closed.

11.08.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order
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Note: Issue order copy on 11.08.2025



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- 1.Principal District and Sessions Judge at Namakkal
- 2.Fast Track Court, Magisterial Level, Tiruchengode, Namakkal
- 3.Central Prison, Salem



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