



Crl.RC.No.31 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2025

CORAM:

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

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K.Parameshwaran

... Petitioner

Versus

V.Sudhakar

... Respondent

PRAYER: Criminal Revision has been filed under Sections 397 r/w 401 of the Code of Criminal Procedure praying to set aside the judgment dated 02.03.2022 passed in Crl.A.No.18 of 2021 on the file of I Additional District Judge, Salem, confirming the judgment dated 25.01.2021 passed in STC.No.913 of 2016 on the file of the Judicial Magistrate No.1, Sankari and allow the above criminal revision petition.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.J.Jawahar

ORDER

This criminal revision has been preferred against the judgment dated 02.03.2022 passed in Crl.A.No.18 of 2021 on the file of I



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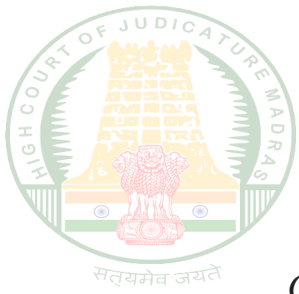
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Additional District Judge, Salem, confirming the judgment dated 25.01.2021 passed in STC.No.913 of 2016 on the file of the Judicial Magistrate No.1, Sankari.

2. A memo of compromise dated 03.06.2025 has been filed by the respondent and the petitioner stating that the petitioner paid Rs.3,20,000/- by way of demand draft No.016022 dated 03.06.2025 and they have prayed to compound the sentence imposed in the impugned judgments. The relevant portion of the aforesaid memo of compromise is extracted hereunder:

The petitioner filed the above Memorandum of Criminal Revision case Crl.Rc.No.31 of 2023 before this Hon'ble court challenging the Judgement dated 02.03.2022 passed in [Crl.A.No. 18 of 2021](#) on the file of I Additional District Judge, Salem, confirming the judgement dated 25.01.2021 passed in S.T.C. No.913 of 2016 on the file of the Judicial magistrate, No.1, Sankari.

The petitioner humbly submit that the petitioner deposited Rs.80,000/- Before The Judicial Magistrate I, Sankari S.T.C. No.913 of 2016 as per the order passed in



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CMP.No. 1 of 2021 in [Crl.A.No. 18 of 2021](#) on the file of I Additional District Judge, Salem. Now the petitioner and respondent entered into compromise and arrived settlement that the petitioner paid Rs.3,20,000/- by way of DD No. 016022 dated 03.06.2025 drawn from Axis Bank, Sankari to the respondent. Also the petitioner agreed that the respondent can withdraw the amount Rs.80,000/-deposited before the Judicial Magistrate No.I, Sankari. The respondent has agreed to return one cheque belongs to the petitioner issued by the State bank of India, Sankari Branch which is in his custody.

For the reason stated above, it is humbly prayed that this Hon'ble Court may be pleased to receive and record this memo of compromise and compound the sentence imposed in Judgement dated 02.03.2022 passed in [Crl.A.No. 18 of 2021](#) on the file of I Additional District Judge, Salem, confirming the judgement dated 25.01.2021 passed in S.T.C. No.913 of 2016 on the file of the Judicial magistrate, No.1, Sankari and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

3. In view of the above, this criminal revision deserves to be allowed. As such, the judgment dated 02.03.2022 passed in Crl.A.No.18 of 2021 on the file of I Additional District Judge, Salem and the



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judgment dated 25.01.2021 passed in STC.No.913 of 2016 on the file of the Judicial Magistrate No.1, Sankari are set aside. The aforesaid memo of compromise shall form part and parcel of this order. The respondent is permitted to withdraw the amount of Rs.80,000/- which was already deposited by the petitioner before the trial court by filing appropriate application. It is also made clear that without ordering notice to the petitioner herein, the trial court shall permit the respondent to withdraw the said amount. The bail bond, if any executed by the petitioner, shall stand cancelled.

4. In the result, this criminal revision stands allowed.

04.06.2025

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
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- To
- 1.The learned I Additional District Judge,
Salem
 - 2.The learned Judicial Magistrate No.1, Sankari

G.K.ILANTHIRAIYAN. J,



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