



CRL.RC.No.65 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2025

CORAM:

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

Crl.RC.No.65 of 2023

P.Balasubramaniam

... Petitioner

Versus

P.Krishnamoorthy

... Respondent

PRAYER: Criminal Revision has been filed under Sections 397 and 401 of the Code of Criminal Procedure praying to call for the records and set aside the conviction and sentence imposed in the judgment dated 29.09.2022 made in CA.No.102 of 2020 on the file of the V Additional District and Sessions Court, Coimbatore confirming the judgment dated 20.01.2020 made in CC.No.73 of 2013 on the file of the learned Judicial Magistrate, Fast Track Court at Magisterial Level-1, Coimbatore.

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.H.Rajasekar



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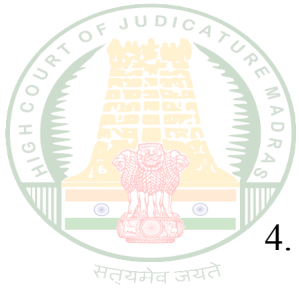
ORDER

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This criminal revision has been filed against the judgment dated 29.09.2022 passed in CA.No.102 of 2020 on the file of the V Additional District and Sessions Court, Coimbatore confirming the judgment dated 20.01.2020 passed in CC.No.73 of 2013 on the file of the learned Judicial Magistrate, Fast Track Court at Magisterial Level-1, Coimbatore, thereby convicted the petitioner for the offence punishable under Section 138 of NI Act and sentenced him to undergo six months simple imprisonment and also to pay the cheque amount of Rs.3,00,000/- as compensation under Section 357(3) of Cr.P.C. within 2 months i/d to undergo two months simple imprisonment.

2. The learned counsel appearing for the petitioner submitted that the entire cheque amount of Rs.3,00,000/- was handed over to the respondent by way of demand drafts. He also produced the photocopies of the demand drafts before this Court.

3. The learned counsel appearing for the respondent submitted that the cheque amount has been received and the respondent has no objection to set aside the entire conviction against the petitioner under Section 138 of NI Act



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4. In view of the settlement made by the petitioner, the impugned

judgments cannot be sustained and the same are liable to be set aside.

Accordingly, this criminal revision stands allowed and the judgment dated 29.09.2022 passed in CA.No.102 of 2020 on the file of the V Additional District and Sessions Court, Coimbatore and the judgment dated 20.01.2020 passed in CC.No.73 of 2013 on the file of the learned Judicial Magistrate, Fast Track Court at Magisterial Level-1, Coimbatore are set aside.

02.06.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J,

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To
1.V Additional District and Sessions Court,
Coimbatore
2.Judicial Magistrate, Fast Track Court at Magisterial Level-1,
Coimbatore.

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