



Crl.R.C.Nos.2054 & 2108 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 08.07.2025

CORAM:

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

Crl.R.C.Nos.2054 & 2108 of 2023
and Crl.M.P.Nos.18926, 18928, 19246 & 19247 of 2023

Sharanya @ Charanya,
Proprietrix/Authorised Signatory of
Shakambari Silks,
No.4, A-1, Star Property Gradew,
B.N.Narashimman 1st Cross Street,
T.Nagar, Chennai – 600 017.

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

Vs.

R.Ashwin

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

COMMON PRAYER: Criminal Revisions have been filed under Section 397 r/w 401 of Cr.P.C., praying to call for the records in C.A.Nos.72 & 73 of 2022 respectively, on the file of the learned XVI Additional Sessions Judge at Chennai and allow the revision and set aside the orders dated 11.09.2023 in C.A.Nos.72 & 73 of 2022 respectively, on the file of the learned XVI Additional Sessions Judge at Chennai confirming the orders in C.C.Nos.3000 & 3001 of 2018 respectively, dated 25.03.2022 passed by the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore at Allikulam, Chennai.



Crl.R.C.Nos.2054 & 2108 of 2023

In both Crl.R.Cs.

WEB COPY

For Petitioner : Mr.S.K.Kannadasan

For Respondent : Mr.K.Madhan

COMMON ORDER

These Criminal Revisions have been preferred against the judgments dated 11.09.2023 passed by the learned XVI Additional Sessions Judge at Chennai, in C.A.Nos.72 & 73 of 2022 respectively, confirming the conviction and the sentence imposed on the petitioner by the orders dated 25.03.2022 passed by the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore, Allikulam, Chennai, in C.C.Nos.3000 & 3001 of 2018 respectively, thereby convicting the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act (hereinafter referred to as “the NI Act”)

2. The respondent lodged complaint against the petitioner for the offence punishable under Section 138 of the NI Act, alleging that the petitioner borrowed a sum of Rs.13,00,000/- & Rs.11,00,000/- respectively and to discharge the said debt, she issued two cheques. The said cheques were presented for collection and the same were returned dishonoured for the reason “funds insufficient”. After causing statutory notice, the respondent lodged the



Crl.R.C.Nos.2054 & 2108 of 2023

complaint and the same was taken cognizance by the trial Court in

WEB C.C.Nos.3000 & 3001 of 2018 respectively.

3. On the side of the respondent, in both cases, he had examined P.W.1 & P.W.2 and marked documents in Ex.P.1 to Ex.P.6. On the side of the petitioner, no one was examined and no documents were marked. On perusal of the oral and documentary evidences, the trial Court found the petitioner guilty for the offence punishable under Section 138 of the NI Act and sentenced her to undergo one year simple imprisonment and to pay the cheque amount as compensation to the respondent, in default, to undergo further period of three months simple imprisonment, in both cases. Aggrieved by the same, the petitioner preferred appeals and the same were also dismissed by confirming the conviction and sentence imposed by the trial Court. Hence, the petitioner filed the present revisions.

4. While pending the revision, the parties viz., the petitioner and the respondent settled the issues between them and the petitioner paid the entire cheque amount to the respondent. The learned counsel appearing for the respondent also submitted that the entire cheque amount in both cases have been received by the respondent and acknowledged the same. Further he has no



Crl.R.C.Nos.2054 & 2108 of 2023

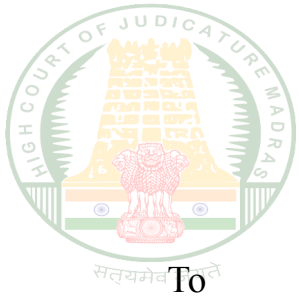
objection to set aside the conviction and sentence imposed by the trial Court as well as confirmed by the appellate Court.

5. In view of the above, the conviction and sentence imposed on the petitioner in the judgments dated 11.09.2023 passed by the learned XVI Additional Sessions Judge at Chennai, in C.A.Nos.72 & 73 of 2022 respectively, and the orders dated 25.03.2022 passed by the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore, Allikulam, Chennai, in C.C.Nos.3000 & 3001 of 2018 respectively, are hereby set aside. The petitioner is acquitted from all the charges in C.C.Nos.3000 & 3001 of 2018 under Section 138 of the NI Act. Fine amount, if any paid, shall be refunded to the petitioner forthwith. Bail bonds, if any executed, shall stand cancelled.

6. Accordingly, both the Criminal Revision Cases stand allowed. Consequently, connected miscellaneous petitions are closed.

08.07.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
rts



Crl.R.C.Nos.2054 & 2108 of 2023

To
WEB COPY

1. The XVI Additional Sessions Judge,
Chennai.
2. The Metropolitan Magistrate,
Fast Track Court No.II,
Egmore, Allikulam,
Chennai.



WEB COPY



Crl.R.C.Nos.2054 & 2108 of 2023

G.K.ILANTHIRAIYAN. J.

rts

Crl.R.C.Nos.2054 & 2108 of 2023
and Crl.M.P.Nos.18926, 18928, 19246 & 19247 of 2023

08.07.2025