



Crl.A.No. 734 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2025

CORAM:

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

Crl.A.No.734 of 2025

Gayathri

... Appellant

Vs

K.P.Priyadarshini

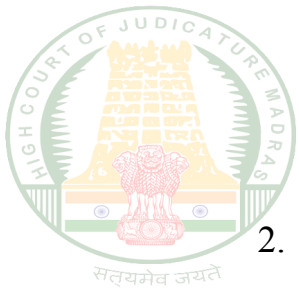
... Respondent

PRAYER: Criminal Appeal is filed under Section 378(4) of Cr.P.C., to set aside the Judgment dated 26.09.2024 passed in C.A.No.30 of 2024 on the file of the learned IV Additional Sessions Judge, City Civil Court, Chennai and confirm the conviction and sentence imposed by the Judgment daed 20.12.2023 passed in STC No.2580 of 2022 on the file of the III Fast Track Court, Metropolitan Magistrate, Saidapet, Chennai

For Appellant : Mr. K.Govi Ganesan

J U D G M E N T

This appeal has been preferred as against the order passed in Crl.A.No.30 of 2024 dated 26.09.2024, wherein the appellate court allowed the appeal by compounding the offence under Sections 138 of Negotiable Instruments Act.



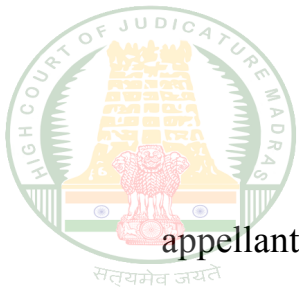
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2. Heard the learned counsel on either side and perused the documents

placed on record.

3. The appellant is the complainant and the appellant lodged a complaint for offences under Section 138 of Negotiable Instruments Act as against the respondent. The trial court convicted the respondent for the offence under Section 138 of Negotiable Instruments Act. Aggrieved by the same, the respondent preferred appeal in C.A.No.30 of 2024 before the appellate court. Before the Appellate Court, the appellant and the respondent entered into joint memorandum of compromise and filed the same to compound the offence. In view of the compromise entered between the parties, the appellate court compounded the offence and set aside the offence imposed by the trial court. Now, the learned counsel for the appellant submits that the respondent has failed to act upon the terms of joint compromise memo filed before the appellate court, thereby pleaded to allow the present appeal by setting aside the order passed by the appellate court.

4. It is to be noted that the present appeal cannot be maintained in view of the fact as the appellant has already agreed to compound the offence on the basis of the joint memorandum of compromise entered on 14.08.2024. If at all any violation has been committed as per the joint memo of compromise, the



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appellant has to look out for the remedy in the manner known to law.

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In view of the above, after compounding the offence under Section 138 of Negotiable Instruments Act, in view of joint memorandum of compromise, the present Appeal cannot be entertained as against the order of acquittal, hence the present Criminal Appeal is dismissed.

30.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
ssd

To

1. The IV Additional Sessions Judge,
City Civil Court, Chennai
2. The III Fast Track Court,
Metropolitan Magistrate, Saidapet,
Chennai
3. The Public Prosecutor,
Madras High Court,
Chennai.

G.K.ILANTHIRAIYAN, J.



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