



WEB COPY

CRL RC No. 1902 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 24-11-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL RC No. 1902 of 2025**

1. K.Chandran  
S/o.Krishna, No.320, 2nd Cross, 6th  
Street, Mogappair West, 7th Block,  
Chennai-600 037.

Petitioner(s)

Vs

1. M.Venugopal  
S/o.M.Manickam, No.3, 8th Avenue,  
Bhanu Nagar, Ambattur, Chennai-600  
053.

Respondent(s)

**CRL RC No. 1902 of 2025**

**PRAYER**

To set aside the judgement dated 29.07.2021 passed in CC.No.02 of 2019 by the learned Judicial Magistrate , Fast Track Court, Magisterial Level, Ambattur confirming the conviction imposed in order dated 14.07.2023 made in CrI.A.No.05 of 2022 on the file of the III Additional District and Sessions Court, Thiruvallur at Poonamallee by allowing this criminal revision petition.

**CRL RC No. 1902 of 2025**

For Petitioner(s): R.Thirumoorthy



M.Manivannan  
S.Meiyappan  
S.Arunkumar  
S.Sivasekar  
M.Kishore  
J.Ganesh  
Affidavit Of Service Filed -  
(paper Publication)

For Respondent(s): Court Notice Unserved For Sole  
Respondent - Returned As  
Refused  
Private Notice Permitted - Proof  
Not Filed

### **ORDER**

This Criminal Revision Case has been filed to set aside the judgement dated 29.07.2021 passed in CC.No.02 of 2019 by the learned Judicial Magistrate, Fast Track Court, Magisterial Level, Ambattur confirming the conviction imposed in order dated 14.07.2023 made in Crl.A.No.05 of 2022 on the file of the III Additional District and Sessions Court, Thiruvallur at Poonamallee.

#### **2. The brief facts of the case:**

The complaint alleged that the appellant/accused borrowed a sum of Rs.3,00,000/- in cash on 01.07.2018 for business and personal purpose and issued a post dated cheque bearing No.550173 dated 28.09.2018 for the said amount drawn on State Bank of India, Mogappair Branch. The accused agreed to repay the amount with interest. On instructions, the cheque was presented for



encashment with the bankers, Union Bank of India, Ambattur Branch, on 12.11.2018 but the cheque was returned dishonoured as per the return memo dated 13.11.2018 with an endorsement "insufficient funds". Thereafter the appellant/accused issued a legal notice calling upon the accused to pay the cheque amount. The said notice was received by the accused on 29.11.2018, however, the accused has to chosen to send any reply nor has he made any payment. Therefore, the complaint was filed.

3. After receipt of the complaint, the complainant was examined under Section 200 Cr.P.C., and as there appeared a prima facie case and there were sufficient grounds for proceeding against the accused, an offence under Section 138 of the Negotiable Instruments Act was taken cognizance of against the accused. On the side of the complainant, he was examined as P.W.1 and four documents were marked as Exs.P-1 to P-4. The learned Judicial Magistrate, on consideration of the evidence, oral and documentary, convicted the accused, and sentenced him to undergo simple imprisonment for a period of nine months, and directed him to pay Rs.3,00,000/-, as compensation to the complainant within a period of two months, and in default of payment of compensation, he was directed to undergo simple imprisonment for a period of two months. Challenging the same, the appellant filed appeal before the III Additional District and Session Court, Tiruvallur, Poonamallee. On hearing both sides, the first appellate Court dismissed the appeal. Aggrieved over the same the appellant filed this appeal.



4. The learned counsel for the appellant submits that the appellant has deposited entire cheque amount before the trial Court to that effect he filed copy of court receipt. Hence, he prays to acquit the appellant.

5. Heard the submissions of the learned counsel for the petitioner and perused the material available on records.

6. As on date, the petitioner has deposited entire cheque amount before the Trial Court to that effect a copy of Court receipt is filed. Therefore, keeping the case alive does not survive any purpose and the matter does not require any further proceedings. Respondent is permitted to withdraw entire amount with accrued interest. The petitioner is ordered to be acquitted in CC No. 2 of 2019 on the file of the Judicial Magistrate, Fast Track Court, Magisterial Level, Ambattur. Accordingly, this Criminal Revision Case is allowed.

**24-11-2025**

pbl

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Judicial Magistrate, Fast Track Court, Magisterial Level, Ambattur.
2. The III Additional District and Sessions Court, Poonamallee.



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**T.V.THAMILSELVI J.**  
PbI

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