



WEB COPY

CRL RC No. 2109 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2109 of 2025

R.J.Pandian Inbasekaran

Petitioner(s)

Vs

S.Ramesh

Respondent(s)

PRAYER Criminal Revision Case filed under Section 438 r/w. 442 of B.N.S.S, 2023, to set aside the judgement and order dated 11.09.2025 in C.A.No.87 of 2022 on the file of the Learned District and Sessions Court, Chengalpattu for convicting the petitioner and the above appeal and confirming the judgement dated 07.11.2022 passed in C.C.No.61 of 2021 on the file of the Judicial Magistrate Court, Fast Track Court Magisterial Level, Alandur.

For Petitioner(s): Mr.T.Ananthasekar

For Respondent(s): Mr.R.Krishnan

ORDER

This Criminal Revision has been filed challenging the Judgment of conviction and sentence imposed by the trial Court in C.C.No.61 of 2021 which was confirmed by the appellate Court in C.A.No.87 of 2022.



2. The gist of the allegations in the respondent's complaint is that the petitioner had issued a cheque bearing No.326472, dated 07.12.2020 drawn on Axis Bank Limited, Velachery Branch for a sum of Rs.1,66,800/- towards his liability to the respondent; that when the said cheque was presented for collection, the same was returned for the reason "funds insufficient"; inspite of issuing statutory notice, the petitioner did not make the payment; hence, the respondent filed a complaint in C.C.No.61 of 2021 before the learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Alandur.

3. The trial Court Judge, vide his Judgment dated 07.11.2022, convicted the petitioner / accused under Section 138 of the Negotiable Instruments Act and sentenced him to undergo six months simple imprisonment and to pay compensation of Rs.1,85,148/- to the respondent within one month and in default to undergo further period of two months Simple imprisonment. Aggrieved with the said judgment, the petitioner / accused filed an appeal in C.A.No.87/2022 before the Principal District and Sessions Judge, Chengalpattu; The learned Principal District and Sessions Judge, Chengalpattu, vide his Judgment dated 11.09.2025 dismissed the appeal by confirming the conviction and sentence passed by the trial Court; The criminal revision has been filed challenging the said judgment.



4. During the pendency of this revision, the parties arrived at a compromise and the respondent agreed to receive a total sum of Rs.2,15,148/- in full and final settlement of all his claims. The parties have filed a joint compromise memo, dated 12.12.2025, confirming the said compromise.

5. The learned counsel for the petitioner would submit that out of the total sum of Rs.2,15,148/-, a sum of Rs.1,85,148/- was deposited to the credit of C.C.No.61 of 2021 on the file of the Judicial Magistrate, Fast Track Court Magisterial Level, Alandur pursuant to the direction of this Court and the petitioner has paid the balance sum of Rs.30,000/- to the respondent directly which is confirmed by the respondent.

6. In view of the above, the respondent is at liberty to withdraw the said sum of Rs.1,85,148/- which has been deposited to the credit of C.C.No.61 of 2021. The petitioner has handed over the deposit receipt to the respondent. The joint compromise memo, dated 12.12.2025 entered into between the parties is taken on record.

7. Accordingly, the Judgment dated 11.09.2025 in C.A.No.87 of 2022 on the file of the learned District and Sessions Court, Chengalpattu and the judgement dated 07.11.2022 confirming the Judgment in C.C.No.61 of 2021 on the file of the Judicial Magistrate, Fast Track Court Magisterial Level, Alandur



are hereby set aside. The Criminal Revision Case stands allowed. The petitioner / accused is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act. Bail bonds, if any, shall stand cancelled. Fine amount, if already paid, shall be refunded.

15-12-2025

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Index:Yes/No

Speaking/Non-speaking order

To

1. The District and Sessions Court, Chengalpattu.
2. The Judicial Magistrate Court,
Fast Track Court Magisterial Level, Alandur.



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SUNDER MOHAN,J.

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