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Crl.R.C.Nos.2008 & 2010 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM

THE HONOURABLE MR.JUSTICE **SUNDER MOHAN**

Crl.R.C.Nos.2008 & 2010 of 2025 &

Crl.M.P.Nos.18957, 18959, 18960, 18961 of 2025

C.Manivannan ... Petitioner in both CRL RCs

Vs.

M.C.Thangamuthu ... Respondent in both CRL Rcs

Common Prayer: Criminal Revision Petitions filed under Section 397 & 401 of Cr.P.C./438 read with 442 of BNSS Act to set aside the judgment and conviction dated 30.07.2025 made in Crl.A.Nos.193 & 192 of 2022 on the file of the II Additional Sessions Court, Erode confirming the judgment and conviction dated 13.09.2022 made in C.C.Nos.44 and 42 of 2012 on the file of the Judicial Magistrate [FTC] No.I, Erode.

For Petitioner : Mr.C.S.Saravanan



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COMMON ORDER

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These revisions challenge the judgment and conviction imposed on the petitioner dated 13.09.2022 made in C.C.Nos.44 and 42 of 2022 on the file of the Judicial Magistrate [FTC] No.I, Erode for the offence under section 138 of the Negotiable Instruments Act which was confirmed by the judgment dated 30.07.2025 made in Crl.A.Nos.193 & 192 of 2022 on the file of the II Additional Sessions Court, Erode.

2. When the matters earlier were taken for hearing, this Court referred the parties for mediation. It appears that the petitioner had appeared before the mediation and the parties have arrived at a settlement; the mediation center had sent a report along with the settlement agreement entered into between the petitioner and the respondent. The scanned copy of the agreement reads as follows :



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Crl.R.C.Nos.2008 & 2010 of 2025

SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT entered into on 05.11.2025 between

C. Manivannan

and

M. C. Thangamuthu



WHEREAS

1. Disputes and differences had arisen between the Parties hereto and Crl.R.C. No. 2008/2025 & Crl.R.C. No. 2010/2025 was filed on _____ before Hon'ble High Court, Madras

2. The matter was referred to mediation / conciliation vide an order dated 24.10.2025 passed by Hon'ble His Justice T. V. Ramasubramanian.

3. The parties agreed that S. Hari Ganesh would act as their Mediator/ Conciliator.

4. Several meetings were held during the process of Mediation / Conciliation from 05.11.2025 to _____ and the parties have with the assistance of the Mediator / Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator/Conciliator.



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6. The following settlement has been arrived at between the Parties hereto:

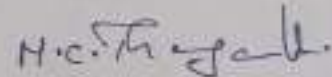
- A. The Appellant had already paid the amounts covered under the complaints mentioned two cheques in S.T.C.No-42/2012, S.T.C.No-44/2012 before Learned Fast Track Judicial Magistrate No I, Erode.
- B. The Respondent hereby consents to the Appellant may be acquitted of the charges relates to the above complaints
- C. The amount deposited u/s. 148 of N.I Act in the Trial court by the Appellant may be ordered to be refunded to the Appellant / Accused.

7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to Crl.R.C.No 2008, 2010 of 2025 (Case No) and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation /Mediation.

DATE: 05.11.2025

PARTIES' SIGNATURE


Appellant
(Petitioner)


H.C. Thiyagar
(Respondent)

COUNSELS' SIGNATURE

Appellant
(Petitioner)

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(Respondent)



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3. Since the parties had arrived at a settlement, the impugned judgment of conviction and sentence made in Crl.A.Nos.193 & 192 of 2022 on the file of the II Additional Sessions Court, Erode confirming the judgment of conviction and sentence made in C.C.Nos.44 and 42 of 2022 on the file of the Judicial Magistrate [FTC] No.I, Erode for the offence under section 138 of the Negotiable Instruments Act are set aside and the appellant is acquitted. It is seen that during the pendency of the appeal, the petitioner had deposited a portion of the cheque amount under section 148 of the Negotiable Instruments Act and as agreed between the parties, the petitioner is permitted to withdraw the said amount in both the cases in C.C.Nos.42 of 2012 and 44 of 2012.

10. With the above observations, these Criminal Revision Cases are allowed. Consequently, connected miscellaneous petitions are closed.

04.12.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
Speaking order/Non-speaking order
vrc

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To

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- 1.The II Additional Sessions Judge,
Erode.
- 2.The Judicial Magistrate,
FTC No.I, Erode.



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SUNDER MOHAN, J.

VTC

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