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Crl.R.C.No.458 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM:

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

Crl.R.C.No.458 of 2025
and Crl.M.P.No.5503 of 2025

M.Sakthivel

... Petitioner

Vs

S.Pakrudeen

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 read with 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the Judgment in Crl.Appeal No.37 of 2023 dated 18.09.2024 passed by the Principal District and Sessions Judge, Thiruvarur, which confirming the judgment made on 30.06.2023 in STC No.44 of 2013 on the file of the learned Judicial Magistrate- Fast Track Court, Thiruthiraipoondi.

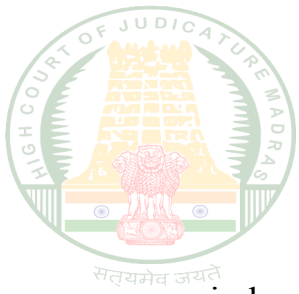
For Petitioner : Mr.S.Sekar

For Respondent : Notice served

No appearance

ORDER

This Criminal Revision has been filed to set aside the Judgment in Crl.Appeal No.37 of 2023 dated 18.09.2024 passed by the Principal District and Sessions Judge, Thiruvarur, thereby confirming the



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judgment made on 30.06.2023 in STC No.44 of 2013 on the file of the learned Judicial Magistrate- Fast Track Court, Thiruthiraipoondi.

2. Heard the learned counsel for the petitioner and perused the materials available on record. Though notice served on the respondent and the name has been printed in the cause list, today, no one appeared on behalf of the respondent in person or through pleader.

3. The petitioner is an accused in the complaint lodged by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act. After full-fledged trial, the Trial Court convicted the petitioner for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced him to undergo six months simple imprisonment and to pay a compensation to the tune of cheque amount. Aggrieved by the same, the petitioner preferred an appeal and the same was dismissed, confirming the order passed by the Trial Court. Hence, this revision.



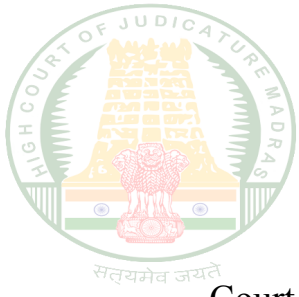
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4. The learned counsel for the petitioner would submit that pending revision, the matter has been settled between the parties by payment of entire cheque amount in favour of the respondent.

5. In view of the above submission, the impugned Judgment passed by the Trial court as well as the appellate Court cannot be sustained and are liable to be set aside. Accordingly, the Judgment in Crl.Appeal No.37 of 2023 dated 18.09.2024 passed by the Principal District and Sessions Judge, Thiruvavarur, thereby confirming the judgment made on 30.06.2023 in STC No.44 of 2013 on the file of the learned Judicial Magistrate- Fast Track Court, Thiruthiraipoondi are hereby set aside.

6. Accordingly, this Criminal Revision Case is allowed, on condition that the petitioner shall produce the receipt/acknowledgement for the payment of entire cheque amount/settlement before the Trial Court, on or before 15.09.2025. Failing which, the order passed by this Court shall stand automatically cancelled without any reference to this



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Court. The conviction and sentence imposed by the Trial Court and confirmed by the appellate Court are restored. The respondent is at liberty to secure the petitioner to undergo the period of sentence imposed by the Trial Court and confirmed by the appellate Court, in accordance with law. Consequently, connected Miscellaneous petition is closed.

18.08.2025

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



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To

1. The Principal District and Sessions Judge,
Thiruvavarur.
2. The Judicial Magistrate- Fast Track Court,
Thiruthiraipoondi.



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G.K.ILANTHIRAIYAN. J.

mn

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