



Crl.R.C.(MD)No.698 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.698 of 2025

Chandran

... Petitioner

Vs.

Veeraiyan

... Respondent

Prayer : Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, 2023 to call for the records of the Impugned Judgment passed in Crl.A.No.189 of 2023 dated 10.07.2024 on the file of the III Additional District and Sessions Court, Thanjavur @ PattukKottai confirming the Judgment passed in S.T.C.No.66 of 2022 dated 10.07.2023 on the file of the Judicial Magistrate Court (FTC), Pattukkottai and set aside the same.

For Petitioner : Mr.R.Paranjothi
for M/s.KBS Law Office

For Respondent : Mr.B.Santhanam Rajesh Kumar

ORDER

This Criminal Revision Case has been filed, assailing the judgment in Crl.A.No.189 of 2023 on the file of the learned III Additional District



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and Sessions Court, Thanjavur @ PattukKottai, dated 10.07.2024, confirming the conviction and sentence imposed by the judgment dated 10.07.2023 in S.T.C.No.66 of 2022 on the file of the learned Judicial Magistrate Court (FTC), Pattukkottai and acquit the accused.

2. The case of the respondent/complainant is that on 05.02.2022, the petitioner borrowed a loan of Rs.4,00,000/- from the respondent agreeing to repay the same within a period of one month and had issued a cheque bearing number 996724, dated 07.03.2022. When the respondent has presented the cheque for collection on 08.03.2022, the same was returned with reason “Insufficient funds” on 09.03.2022, that the respondent has sent legal notice on 29.03.2022 to the petitioner demanding repayment of the amount covered by the cheque and the same was received by the petitioner on 06.04.2022. Despite receiving the same, the petitioner neither replied to the notice nor repaid the amount. Therefore, the respondent has filed a private complaint for the offence under Section 138 of Negotiable Instruments Act against the petitioner.

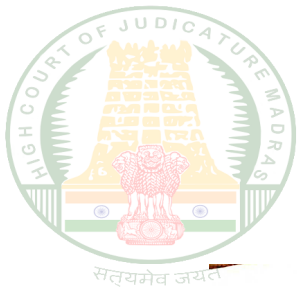


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3.The complaint was taken on file by the learned Judicial Magistrate Court (FTC), Pattukkottai, as S.T.C.No.66 of 2022. The learned Trial Court convicted the petitioner on 10.07.2023, for the offence under Section 138 of Negotiable Instruments Act and sentenced him to undergo simple imprisonment for 6 months and to pay a sum of Rs.4,10,000/- as compensation within a period of 2 months, in default to undergo simple imprisonment for 2 months. Challenging the above said conviction and sentence, the petitioner has filed an appeal in Crl.A.No. 189 of 2023 on the file of the III Additional and District Sessions Court, Thanjavur @ Pattukottai and the learned III Additional and District Sessions Court, Thanjavur @ Pattukottai, by confirming the conviction and sentence, dismissed the appeal. Being dissatisfied with the dismissal of the appeal, the petitioner has preferred the present Criminal Revision.

4. The matter is referred to Mediation and Conciliation Centre and the mediation report is placed before me. The settlement agreement arrived at between the parties is extracted hereunder:



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SETTLEMENT AGREEMENT

This is Settlement Agreement entered into on 12-08-2025 between **Chandran** (Petitioner) S/o. Appulingam, Door No. 4/38, Nattumangalam, Rethinakottai, Aranthangi Taluk, Pudukkottai District and

Veeraiyan (Respondent) S/o. Muthu, No. 5/17, Mariyamankovil Street, Adirampattinam, Pattukottai Taluk, Thanjavur District.

WHEREAS

1. Disputes and differences had arisen between the Parties hereto and Crl.R.C.(MD)No. 698 of 2025 which is pending before this Hon'ble High Court of Madras at Madurai Bench.
2. The matter was referred to mediation / conciliation vide an order dated 29.07.2025 passed by Hon'ble Justice VICTORIA GOWRI
3. The parties agreed that P.R.Balasubramaniyan & P.Kalaiyarasi Barathi would act as their Mediators/Conciliator.
4. Several meetings were held during the process of Mediation/Conciliation from 06-08-2025 to 12-08-2025 and the parties have with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

[Signature]

[Signature]



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

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

(a) The petitioner agrees to pay by way of Demand Draft for Rs. 2,68,000/- to the respondent

(b) The petitioner permits the respondent to withdraw the amount of Rs.82,000/- which was deposited in the Judicial Magistrate (FTC), Pattukottai in STC.No. 66/2022

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.(MD)No. 698/2025 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of Conciliation/Mediation.

DATE: 12.08.2025

PARTIE'S SIGNATURE


: (Petitioner)



(Respondent)

COUNSEL'S SIGNATURE


: (Petitioner)



(Respondent)



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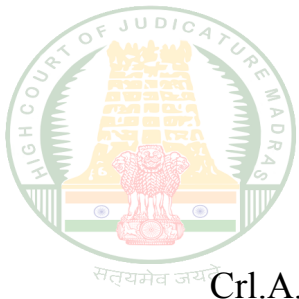
5. The parties have appeared before this Court and the Demand Draft drawn to a tune of Rs.2,68,000/- in favour of Veeraiyan s/o Muthu was handed over to the respondent.

6. The Hon'ble Supreme Court in *Ramgopal and another v. State of Madhya Pradesh*¹, had held that this Court, in exercise of inherent powers, can accept the compromise, even in the case of non-compoundable offences, if the parties have entered into a compromise and the dispute is private in nature.

7. Though the petitioner is the accused of the offence under Section 138 of Negotiable Instruments Act, the dispute is private in nature. Hence, this Court is inclined to accept the settlement and set aside the order of conviction and sentence imposed by the Courts below.

8. Accordingly, the settlement agreement dated 12.08.2025, is taken on file. The Criminal Revision Case is **allowed** in terms of the settlement agreement dated 12.08.2025. The conviction and sentence imposed upon the petitioner vide judgment dated 10.07.2024, in

¹ (2022) 14 SCC 531



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Crl.A.No.189 of 2023 on the file of the learned III Additional and District Sessions Court, Thanjavur @ Pattukottai, confirming the conviction and sentence imposed by the judgment dated 10.07.2023 in S.T.C.No.66 of 2022 on the file of the learned Judicial Magistrate Court (FTC), Pattukkottai, is set aside and the petitioner is acquitted of the offence under Section 138 of Negotiable Instruments Act. The respondent is permitted to withdraw the amount which has been deposited to the credit of S.T.C.No.66 of 2022 on the file of the learned Judicial Magistrate Court (FTC), Pattukkottai on making a suitable application.

26.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The III Additional and District Sessions Court,
Thanjavur @ Pattukottai.
- 2.The Judicial Magistrate Court (FTC),
Pattukkottai.



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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.698 of 2025

Dated: 26.08.2025