



Crl.R.C(MD)No.149 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.10.2025**

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THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

CRL.R.C.(MD)No.149 of 2025

T.Prabhakaran,
S/o.Tamilarasan,
Plot No.13, Rajappa Nagar,
Pattukottai Town,
Thanjavur District.

... Petitioner

vs.

S.R.Sambasivam,
S/o.Ramasamay,
East Street,
Athikottai,
Pattukottai,
Thanjavur District.

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records pertaining to the order of conviction in Crl.A.No.212 of 2023 dated 30.09.2024, on the file of the learned Additional District Judge FTC, at Pattukottai, in S.T.C.No.93 of 2021, dated 18.08.2023, on the file of the Judicial Magistrate Court-FTC-Pattukottai, Thanjavur District and set aside the same and allow Criminal Revision Petition.



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For Petitioner : Mr.S.Sivaprakash

For Respondent : Mr.N.Madhavan Govindan

ORDER

Heard Mr.S.Sivaprakash, learned counsel appearing for the Petitioner and Mr.N.Madhavan Govindan, learned counsel appearing for the Respondent and also this Court has taken the assistance of Mr.M.Karunanithi, learned Government Advocate (Criminal Side).

2. This Criminal Revision Petition has been filed by the petitioner to set aside the order of conviction and sentence imposed on the Petitioner by the learned Judicial Magistrate, Fast Track Court, Pattukottai, Thanjavur District, in S.T.C.No.93 of 2021, dated 18.08.2023 as confirmed subsequently by the learned III-Additional District and Sessions Judge Thanjavur at Pattukottai in Crl.A.No.212 of 2023 dated 30.09.2024.



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Revision Petition and necessary for disposal of the same, are as follows:-

a) The Petitioner was convicted and sentenced for the offence under Section 138 of the Negotiable Instruments Act, by the learned Judicial Magistrate, Fast Track Court, Pattukottai, Thanjavur District, made in S.T.C.No.93 of 2021, by the judgment dated 18.08.2023, to undergo simple imprisonment for one year and to pay Rs.20,25,000/-, as compensation towards the cheque amount to the Respondent in default of payment of the said compensation amount, to undergo further period of simple imprisonment for three months. Aggrieved by the order of the Trial Court, the Petitioner filed a Criminal Appeal in Crl.A.No.212 of 2023 before the learned III-Additional District and Sessions Judge Thanjavur at Pattukottai.

b) The learned III-Additional District and Sessions Judge Thanjavur at Pattukottai confirming the judgment passed by the learned Judicial Magistrate, Fast Track Court, Pattukottai, Thanjavur District, in S.T.C.No.93 of 2021, dated 18.08.2023, dismissed the said Appeal vide



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order dated 30.09.2024. Aggrieved by the same, the present Criminal

Revision Petition has been filed.

4. When the matter was taken up on 06.10.2025, this Court passed the following order:

“2.The Co-ordinate Bench of this Court, in Crl.R.C(MD)No.149 of 2025, vide order dated 29.08.2025, had passed the following order:

“Despite the order passed by this Court on 01.08.2025 directing the petitioner to settle the entire amount of compensation on or before 20.08.2025, when the matter was posted for compliance on 25.08.2025, the learned counsel for the petitioner submitted that he will comply the order on or before 29.08.2025. Making it clear that the case would be dismissed if the order is not complied, the case was further posted today.

2.However, when the matter came up for hearing today, the learned counsel for the petitioner submitted out of the total compensation of Rs.20,25,000/-, an amount of Rs.12,15,000/- has been deposited to the credit of S.T.C.No.93 of 2021 on the file of Judicial Magistrate court – FTC at Pattukottai, Thanjavur District. Further, on the direction of this Court, an amount of Rs. 2,00,000/- was received by the learned counsel for the respondent before this Court. Hence, there is a pending amount of Rs.6,10,000/-. He further submitted that petitioner is suffering financial constraints that he is not able to rotate the money and hence, sought for extension of



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time for complying the order of this Court.

3.Considering the request of the learned counsel for the petitioner, time is extended to settle the entire amount till 06.10.2025.

4.The respondent is permitted to withdraw the amount which was deposited before the learned Trial Court by making suitable application.

5.Post on 06.10.2025 for reporting compliance. ”

3.Today, when the matter is being taken up, Mr.S.Sivaprakash, learned Counsel for the petitioner submits that in compliance of the order passed by the Co-ordinate Bench of this Court in Crl.R.C.(MD) No. 149 of 2025, dated 29.08.2025, out of the entire remaining amount of Rs.6,10,000/- due to the respondent, the petitioner has brought a sum of Rs.4,10,000/- in cash today to pay the same to the respondent and the petitioner is ready to pay the remaining balance amount of Rs.2,00,000/- by way of demand draft in favour of the respondent on or before the next date fixed. He further submits that the petitioner is ready to compromise the matter with the respondent and after full settlement is made by the petitioner, this Court by exercising power under Section 147 of the Negotiable Instruments Act, 1881, may compound the offence.



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4.Mr.N.Madhava Govindhan, learned Counsel for the respondent submits that the respondent is not present in person today before this Court to collect the amount brought by the petitioner. However, he submits that he has no objection, if the petitioner pays the entire remaining amount of Rs.6,10,000/- due to the respondent by way of Demand Draft on or before the next date fixed. He further submits that if the petitioner pays the entire remaining amount of Rs.6,10,000/- within the time stipulated by this Court, he has no objection to compromise the matter with the petitioner and this Court by exercising power under Section 147 of the Negotiable Instruments Act,1881, may compound the offence.

5.Accordingly, after considering the arguments as advanced by the learned Counsel for the petitioner that the petitioner is ready to settle the entire remaining amount of Rs.6,10,000/- to the respondent and to settle the matter with the respondent, this Court grants one week and no more time to the petitioner to pay the aforesaid amount ie., Rs.6,10,000/-, to the respondent by way of Demand Draft, without fail. The learned Counsel for the petitioner as well as the respondent are directed to file a joint memo of compromise in this regard on or before the next date



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fixed.

6.Put up this case “for orders” on 14.10.2025 before the appropriate Bench. On that date, the petitioner as well as the respondent are directed to appear before this Court in person. ”

5. Today, when the matter is being taken up, in compliance with the order passed by this Court dated 06.10.2025 in the present petition, the Revision Petitioner viz., T.Prabhakaran and the Respondent viz., S.R.Sambasivam, are present before this Court and the parties have entered into a Memorandum of Compromise dated 13.10.2025, which is taken on record and as per the terms of the Compromise, the following conditions were laid down between the parties which are quoted as under:

“2. The petitioner submits that he was the accused in STC No. 93 of 2021, on the file of the Judicial Magistrate Court -FTC- Pattukottai for the offence u/s. 138 of N.I. Act, as against the accused/appellant herein. The Learned Court convicted under section 138 NI Act one year simple imprisonment along with Rs. 20,25,000/- as compensation to the respondent within period of two months in default to



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undergo further simple imprisonment for a period of 3 months by its judgment dated 18.08.2023 as against the appellant filed a criminal appeal in Crl.A.No.212/2023 before the Learned III Additional District and Sessions Judge, Thanjavur @ Pattukottai and the same was dismissed the Criminal Appeal and the judgment passed by the trial court in S.T.C.No.93/2021 dated 18.08.2023 is conformed and the Learned Judicial Magistrate FTC, Pattukottai. Then the petitioner filed revision before this court in Crl. R.C. No. 149 of 2025 and same was pending before this Hon'ble Court during the above said pendency of the revision both of them they were entered into the compromise by way of settlement.

3. The petitioner further submitted that out of the total compensation of Rs.20,25,000/-, an amount of Rs. 12,15,000/-has been deposited to the credit of S.T.C.No.93 of 2021 on the file of Judicial Magistrate court - FTC at Pattukottai, Thanjavur District. Further, on the direction of this Hon'ble Court, an amount of Rs. 2,00,000/- cash was received by the learned counsel for the respondent before this Court on 29.08.2025.

4. Hence, there is a pending amount of Rs. 6,10,000/-. In the circumstances this Hon'ble Court issued direction to the Petitioner/ Appellant to deposit



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the balanced amount of Rs. 6.10,000/- and to be produced by way of demand draft on or before 14.10.2025. Based on the above said direction, the petitioner take a demand draft No. 540783 at Indian Bank, High Court Branch in Madurai through his counsel namely Palanivel Murugan to in the name of the respondent namely S.R. Sambasivam for the amount of Rs. 4,10,000/-07.10.2025. Then, the petitioner take a demand draft No. 540797 at Indian Bank, High Court Branch in Madurai through his counsel namely Palanivel Murugan to in the name of the respondent namely S.R. Sambasivam for the amount of Rs.2,00,000/- dated 13.10.2025.

5. He further submits that the both are ready to entered into the compromise in this matter and after full settlement is made by the petitioner, maybe accept this compromise memo and allow the both parties entered into the compromise and set-aside the order of conviction in Crl.A.No. 212 of 2023 dated 30.09.2024, on the file of the Additional District Judge FTC, Pattukottai, and in S.T.C.No. 93/2021 dated 18.08.2023 on the FTC at Pattukottai, file of the Judicial Magistrate Court Thanjavur District and SET ASIDE THE SAME and allow Criminal revision Petition by exercising power under Section 147 of the Negotiable



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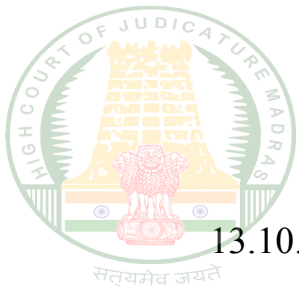
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Instruments Act, 1881, may compound the offence. and pass such further or other orders as this Hon'ble Court deems fit and proper and thus render justice.

6. Due to intervention of family elders, both the parties were entered into the compromise. In this circumstances respondent not willing to proceed the case further against the petitioner.

Therefore this Hon'ble Court may graciously be pleased to accept this compromise memo filed by the petitioner and respondent and set-aside the order of conviction in Crl.A.No. 212 of 2023 dated 30.09.2024, on the file of the Additional District Judge FTC, Pattukottai, and in S.T.C.No. 93/2021 dated 18.08.2023 on the file of the Judicial Magistrate Court FTC - at Pattukottai, Thanjavur District and SET ASIDE THE SAME and allow the Criminal revision Petition and pass such further or other orders as this Hon'ble court may deem fit and proper in this circumstances of the case and thus render justice.”

6. Learned counsel for the Revision Petitioner submits that in compliance with the order dated 06.10.2025 passed by this Court, both the parties have entered into a Joint Memorandum of Compromise dated



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13.10.2025 to the effect that the Criminal Revision case shall be settled

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in accordance with the terms and conditions as contained therein.

7. Learned counsel for the Revision Petitioner further submits that out of the total compensation of Rs.20,25,000/-, an amount of Rs.12,15,000/- has been deposited to the credit of S.T.C.No.93 of 2021 on the file of Judicial Magistrate Court – FTC at Pattukottai, Thanjavur District. Further, on the direction of the Co-ordinate bench of this Court dated 01.08.2025, an amount of Rs.2,00,000/- was received by the Respondent and in view of the settlement arrived between the parties and in compliance of the order passed by this Court dated 06.10.2025, the Revision Petitioner paid Rs.4,10,000/-, vide Demand Draft No.540783, dated 07.10.2025 drawn at Indian Bank, High Court Branch, Madurai in the name of the Respondent and also paid Rs.2,00,000/-, vide Demand Draft No.540797, dated 13.10.2025 of Indian Bank, High Court Branch, Madurai, in the name of the Respondent. Thus, no amount is due against the Revision Petitioner as of now. A photocopy of the receipt has been produced before this Court and the same is taken on record. Further, the Revision Petitioner has no objection, if the Respondent withdraw the

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amount of Rs.12,15,000/- deposited by the Revision Petitioner before the Trial Court.

8. Mr.N.Madhavan Govindan, learned counsel for the Respondent submits that the Respondent received Demand Draft No.540783, dated 07.10.2025 of Indian Bank, High Court Branch, Madurai to the tune of Rs.4,10,000/- and Demand Draft No.540797, dated 13.10.2025 of Indian Bank, High Court Branch, Madurai, to the tune of Rs.2,00,000/-. The learned counsel for the Respondent hereby acknowledges the photostat copy of the demand draft receipt and submits that the entire amount has been received and no amount is due against the Revision Petitioner.

9. Learned counsel for the Respondent further submits that the Respondent already filed an application before the Judicial Magistrate Court – FTC at Pattukottai, Thanjavur for withdrawal of the amount to the tune of Rs.12,15,000/- [Rupees Twelve Lakh Fifteen Thousand only] and thus he prays this Court to direct the Trial Court to disburse the said



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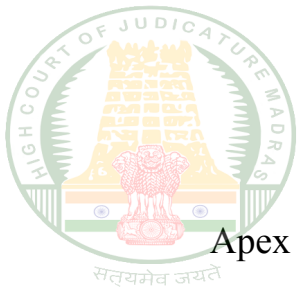
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amount which was deposited by the Revision petitioner before the trial

10. Learned counsel for the Revision Petitioner further submits that the present Revision has been filed on 31.01.2025 before this Court and on the basis of change in circumstances, as the parties have entered into Memorandum of Compromise, it was prayed to this Court to compound the offence. It was further argued by the learned counsel for the Revision Petitioner that this Court has inherent powers to compound the offence, so that, ends of justice could be secured as the object of Negotiable Instruments Act is primarily compensatory and not punitive and moreover Section 147 of NI Act would have an overriding effect on Section 359 Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). Irrespective of which stage, the parties are compromising with the kind leave of this Hon'ble Court.

11. In support of his arguments, learned counsel for the Revision Petitioner has submitted that in the case of ***Damodar S. Prabhu vs. Sayed Babalal H reported at 2010 (2) SCC (Cri) 1328***, the Hon'ble

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Apex Court had formulated the guidelines for compounding the offence under section 138 N.I. Act wherein in para 21, it was pleased to observe as under :

"With regard to the progression of litigation in cheque bouncing cases, the learned Attorney General has urged this Court to frame guidelines for a graded scheme of imposing costs on parties who unduly delay compounding of the offence. It was submitted that the requirement of deposit of the costs will act as a deterrent for delayed composition, since at present, free and easy compounding of offences at any stage, however belated, gives an incentive to the drawer of the cheque to delay settling the cases for years. An application for compounding made after several years not only results in the system being burdened but the complainant is also deprived of effective justice. In view of this submission, we direct that the following guidelines be followed:- THE GUIDELINES (i) In the circumstances, it is proposed as follows:

(a) That directions can be given that the Writ of Summons be suitably modified making it clear to the accused that he could make an application for compounding of the offences at the first or second hearing of the case and that if such an application is



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made, compounding may be allowed by the court without imposing any costs on the accused. (b) If the accused does not make an application for compounding as aforesaid, then if an application for compounding is made before the Magistrate at a subsequent stage, compounding can be allowed subject to the condition that the accused will be required to pay 10% of the cheque amount to be deposited as a condition for compounding with the Legal Services Authority, or such authority as the Court deems fit.

(c) Similarly, if the application for compounding is made before the Sessions Court or a High Court in revision or appeal, such compounding may be allowed on the condition that the accused pays 15% of the cheque amount by way of costs.

(d) Finally, if the application for compounding is made before the Supreme Court, the figure would increase to 20% of the cheque amount."

12. Learned counsel for the Revision petitioner also submitted that in the case of ***M/s Meters and Instruments Private Limited and another vs. Kanchan Mehta reported at 2017 (7) Supreme 558***, the Hon'ble the Apex Court in para 18, was pleased to observe as under :



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“i) Offence under Section 138 of the Act is primarily a civil wrong. Burden of proof is on accused in view of presumption under Section 139 but the standard of such proof is "preponderance of probabilities". The same has to be normally tried summarily as per provisions of summary trial under the Cr.P.C. but with such variation as may be appropriate to proceedings under Chapter XVII of the Act. Thus read, principle of Section 258 Cr.P.C. will apply and the Court can close the proceedings and discharge the accused on satisfaction that the cheque amount with assessed costs and interest is paid and if there is no reason to proceed with the punitive aspect.

(ii)The object of the provision being primarily compensatory, punitive element being mainly with the object of enforcing the compensatory element, compounding at the initial stage has to be encouraged but is not debarred at later stage subject to appropriate compensation as may be found acceptable to the parties or the Court.

(iii)Though compounding requires consent of both parties, even in absence of such consent, the Court, in the interests of justice, on being satisfied that the complainant has been duly compensated, can in its discretion close the proceedings and discharge the



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accused. (iv) Procedure for trial of cases under Chapter XVII of the Act has normally to be summary. The discretion of the Magistrate under second proviso to Section 143, to hold that it was undesirable to try the case summarily as sentence of more than one year may have to be passed, is to be exercised after considering the further fact that apart from the sentence of imprisonment, the Court has jurisdiction under Section 357(3) Cr.P.C. to award suitable compensation with default sentence under Section 64 IPC and with further powers of recovery under Section 431 Cr.P.C. With this approach, prison sentence of more than one year may not be required in all cases.

(v) Since evidence of the complaint can be given on affidavit, subject to the Court summoning the person giving affidavit and examining him and the bank's slip being prima facie evidence of the dishonor of cheque, it is unnecessary for the Magistrate to record any further preliminary evidence. Such affidavit evidence can be read as evidence at all stages of trial or other proceedings. The manner of examination of the person giving affidavit can be as per Section 264 Cr.P.C. The scheme is to follow summary procedure except where exercise of power under second proviso to Section 143 becomes necessary, where sentence of one year may



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have to be awarded and compensation under Section 357(3) is considered inadequate, having regard to the amount of the cheque, the financial capacity and the conduct of the accused or any other circumstances'.

13. Learned counsel for the Revision Petitioner further has relied upon the judgment of ***Gujarat High Court in the case of Kripal Singh Pratap Singh Ori vs. Salvinder Kaur Hardip Singh*** reported in **2004 Crl. L. J. 3786** wherein, the Gujarat High Court was pleased to observe as under:-

“31. In the circumstances, it is hereby declared that the compromise arrived between the parties to this litigation out of court is accepted as genuine and the order of conviction and sentence passed by the learned JMFC, Vadodara and confirmed in appeal by the learned Sessions Judge, Fast Track Court, Vadodara, therefore, on the given set of facts are hereby quashed and set aside as this court intends, otherwise to secure the ends of justice as provided under section 482 Cr.P.C. Obviously the order disposing Revision Application would not have any enforceable effect.”

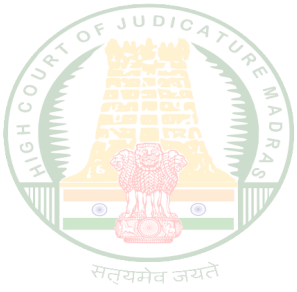


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14. Learned counsel for the Revision Petitioner has also relied upon the judgment of Hon'ble the Apex Court in the case of ***Vinay Devanna Nayak vs. Ryot Seva Sahkari Bank Limited*** reported in ***AIR 2008 SC 716***, wherein the Hon'ble Apex Court was pleased to observe as under :

“18. Taking into consideration even the said provision (Section 147) and the primary object underlying Section 138, in our judgment, there is no reason to refuse compromise between the parties. We, therefore, dispose of the appeal on the basis of the settlement arrived at between the appellant and the respondent.

19. For the foregoing reasons the appeal deserves to be allowed and is accordingly allowed by holding that since the matter has been compromised between the parties and the amount of Rs.45,000/- has been paid by the appellant towards full and final settlement to the respondent-bank towards its dues, the appellant is entitled to acquittal. The order of conviction and sentence recorded by all courts is set aside and he is acquitted of the charge levelled against him.”



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15. Learned counsel for the Revision Petitioner has argued that the law regarding compounding of offences under the N.I. Act is very clear and is no more *res integra* and the offences under the N.I. Act can be compounded even at any stage of the proceedings. He submits that in terms of the aforesaid law laid down by the Hon'ble Supreme Court, the parties may be permitted to compound the offence and the conviction of the petitioner be set aside.

16. Per contra, Mr.M.Karunanithi, the learned Government Advocate (Criminal Side) who appeared for the State assisted this Court in the matter, has vehemently opposed the submissions made by the learned counsel for the Revision Petitioner and submits that the Revision Petitioner has already been convicted by the learned trial court and the conviction order had already been upheld by the Appellate Court in the appeal.

17. The learned Government Advocate (Criminal Side) further submitted that the appeal has been rejected on merit and the Revision Petitioner was convicted, then where the parties or any one of them can



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be permitted to place compromise and to get the order of acquittal from the Court is the question. He further submitted that the present case is nothing, but a gross misuse of the process of law and thus sentence cannot be compounded on the basis of compromise as filed by the parties.

18. Learned Counsel for the Revision Petitioner submits that this Court has already decided a similar issue vide judgment and order dated **19.09.2025 in Crl.R.C.(MD)No.875 of 2025 [K.Balachenniappan Vs Jeyakrishnan]**. The counsel argues that the present revision petitioner's case is fully covered by the aforesaid judgment and prays that the present Revision Petition may be disposed of in the same terms. A copy of the judgment has been placed before the Court for perusal.

19. I have heard the learned counsel for the Revision Petitioner, learned counsel for the Respondent and learned Government Advocate (Criminal Side) appearing for the State and perused the materials placed on record.



20. Considering the facts as narrated above, the following question arose for consideration.

'Whether the order passed by the Appellate Court confirming the conviction of the trial court under section 138 of Negotiable Instruments Act can be nullified by the High Court on the basis of compromise entered between the parties'.

21. Before answering the aforesaid question as framed, I shall examine the relevant provision of the B.N.S.S, as well as the Negotiable Instrument Act. I may extract Section 359 of B.N.S.S., and Section 147 of Negotiable Instruments Act.

Section 359 B.N.S.S. - Compounding of Offences -

1) The offences punishable under the sections of the Bharatiya Nyaya Sanhita, 2023 specified in the first two columns of the Table next following may be compounded by the persons mentioned in the third column of that Table: -



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2)The offences punishable under the sections of the Bharatiya Nyaya Sanhita, 2023 specified in the first two columns of the Table next following may, with the permission of the Court before which any prosecution for such offence is pending, be compounded by the persons mentioned in the third column of that Table:--

3) When an offence is compoundable under this section, the abetment of such offence or an attempt to commit such offence (when such attempt is itself an offence) or where the accused is liable under sub-section (5) of section 3 or section 190 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023), may be compounded in like manner.

(4)(a) When the person who would otherwise be competent to compound an offence under this section is a child or of unsound mind, any person competent to contract on his behalf may, with the permission of the Court, compound such offence;



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(b) When the person who would otherwise be competent to compound an offence under this section is dead, the legal representative, as defined in the Code of Civil Procedure, 1908 (5 of 1908) of such person may, with the consent of the Court, compound such offence.

(5) When the accused has been committed for trial or when he has been convicted and an appeal is pending, no composition for the offence shall be allowed without the leave of the Court to which he is committed, or, as the case may be, before which the appeal is to be heard.

(6) A High Court or Court of Session acting in the exercise of its powers of revision under section 442 may allow any person to compound any offence which such person is competent to compound under this section.

(7) No offence shall be compounded if the accused is, by reason of a previous conviction, liable either to



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enhanced punishment or to a punishment of a different kind for such offence.

(8) The composition of an offence under this section shall have the effect of an acquittal of the accused with whom the offence has been compounded.

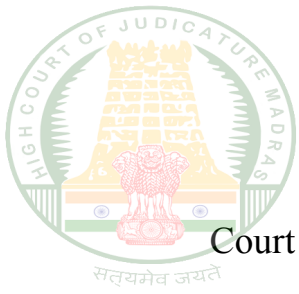
(9) No offence shall be compounded except as provided by this section.

Section 147 of the Negotiable Instrument Act:-

Offences to be compoundable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence punishable under this Act shall be compoundable.

22. It is well settled that inherent power of the Court can be exercised only when no other remedy is available to the litigants and nor a specific remedy as provided by the statute. It is also well settled that if an effective, alternative remedy is available, the High Court will not exercise its inherent power, especially when the Revision Petitioner may not have availed of that remedy. The power can be exercised by the High

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Court to secure the ends of justice, prevent abuse of the process of any court and to make such orders as may be necessary to give effect to any order under this Sanhita or Act, depending upon the facts of the given case. This Court can always take note of any miscarriage of justice and prevent the same by exercising its power. These powers are neither limited, nor curtailed by any other provision of the Sanhita or Act. However, such inherent powers are to be exercised sparingly and with caution.

23. In the instant case, it is true that the appeal was dismissed and the conviction and sentence was upheld by the appellate court, but it cannot be lost sight of the fact that this Court has power to intervene in exercise of its power only with a view to do the substantial justice or to avoid a miscarriage and the spirit of compromise arrived at between the parties. This is perfectly justified and legal too.

24. I have considered the judgments cited by the learned counsel for the Revision Petitioner as well as by the learned Counsel for the State and other decisions of the Hon'ble Apex Court and I do not think it



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necessary to enlist those decisions which are taken into consideration for the purpose of the present proceedings.

25. In the instant case, the Revision Petitioner is invoking the inherent power of this court after dismissal of the appeal confirming his conviction and sentence. In these circumstances, I have to examine as to whether for entertaining the aforesaid case, any special circumstances are made out or not, so it can be legitimately argued and inferred and held that in all cases where the Revision Petitioner is able to satisfy this Court that there are special circumstances which can be clearly spelt out subsequent proceeding invoking inherent power of this court can be modified and cannot be thrown away on that technical argument as to its sustainability once the contesting parties entered into subsequent compromise.

26. In view of the decisions rendered in the judgment dated **19.09.2025 in Crl.R.C.(MD)No.875 of 2025 [K.Balachenniappan Vs Jeyakrishnan]** and taking into account the fact that the parties have settled the dispute amicably by way of compromise, this Court is of the view that the compounding of the offence as required to be permitted.



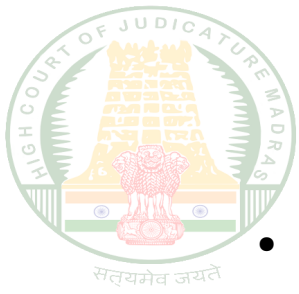
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27. Accordingly, the present Criminal Revision Case is **disposed of** in terms of Memorandum of Compromise arrived at between the parties to this litigation out of Court. The impugned judgment passed in Crl.A.No.212 of 2023 dated 30.09.2024 by the learned III-Additional District and Sessions Judge Thanjavur at Pattukottai and the order of conviction and sentence made in S.T.C.No.93 of 2021, dated 18.08.2023 by the learned Judicial Magistrate, Fast Track Court, Pattukottai, Thanjavur District, are hereby **modified**. The conviction and sentence under [Section 138](#) of the Negotiable Instruments Act in S.T.C.No.93 of 2021, dated 18.08.2023 **stands annulled** as this Court intends, otherwise to secure the ends of justice. The Revision Petitioner shall be treated as **acquitted** on account of compounding of the offence with the complainant/person affected.

28. In the result,

- The Criminal Revision Case is **disposed of** in terms of Joint Memorandum of Compromise dated 13.10.2025.



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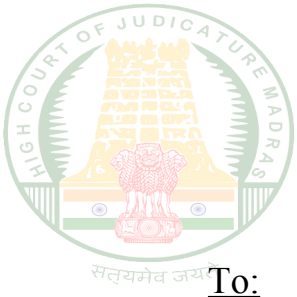
- The impugned judgment passed in Crl.A.No.212 of 2023 dated 30.09.2024 by the learned III-Additional District and Sessions Judge Thanjavur at Pattukottai and the order of conviction and sentence made in S.T.C.No.93 of 2021, dated 18.08.2023 by the learned Judicial Magistrate, Fast Track Court, Pattukottai, Thanjavur District, are hereby **modified**.
- The conviction and sentence imposed on the Revision Petitioner by both the courts below **stands annulled**.
- The Revision Petitioner shall be treated as acquitted on account of compounding of the offence with the complainant/respondent.

29. The Judicial Magistrate Court, Uthamapalayam, (FTC), Theni District is directed to disburse the amount to the tune of Rs.12,15,000/- [Rupees Twelve Lakh Fifteen Thousand only] to the Respondent viz., S.R.Sambasivam, if not already withdrawn, within a period of ten days from the date of receipt of a certified copy of this order.

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

14.10.2025

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To:
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1. III-Additional District and Sessions Judge Thanjavur at Pattukottai
2. The Judicial Magistrate, Fast Track Court, Pattukottai, Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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SHAMIM AHMED, J.

Nsr

Order made in
CrI.R.C(MD)No.149 of 2025

14.10.2025