



Crl.R.C.(MD) No.233 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.233 of 2025

and

Crl.M.P.(MD)Nos.2447 and 2504 of 2025

K.Prabaharan

... Petitioner/Appellant/Accused

Vs.

P.Manokaran

... Respondent/Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 438(1) r/w 442 of BNSS, to call for the records and set aside the judgment dated 03.09.2024 passed in Crl.A.No.143 of 2023 on the file of the learned Additional District (FTC), Theni, confirming the conviction and sentence imposed upon the petitioner in S.T.C.No.179 of 2022, dated 27.09.2023 on the file of the learned Judicial Magistrate, (Fast Tract Court), Uthamapalayam, Theni District and acquit the petitioner.

For Petitioner : Mr.R.Ilayaraja

For Respondent : Mr.K.Prabhakaran

ORDER

The Criminal Revision Case is directed against the Judgment of conviction passed in Crl.A.No.143 of 2023, dated 03.09.2024 on the file of



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the learned Additional District Judge (FTC), Theni, confirming the Judgment of conviction and sentence, dated 27.09.2023 passed in S.T.C.No.179 of 2022 on the file of the learned Judicial Magistrate, Fast Track Court, Uthamapalayam.

2. When the matter was taken up for hearing on 24.02.2025, considering the submission made by the learned counsel for the petitioner and the respondent that the matter was settled between the parties, this Court has directed the petitioner to deposit 5% of the agreed amount before the High Court Legal Service Authority of this Bench.

3. The respondent is present before this Court and the petitioner is in Central Prison, Madurai.

4. Today (25.02.2025), when the matter is taken up for hearing, the learned counsel for the petitioner has filed a memo along with receipt to show that 5% of the agreed amount (Rs.25,000/-) was deposited before the High Court Legal Services Committee, in pursuance of the directions of this Court. The said memo is recorded. He has also filed an application under Sections 359(2) r/w 528 of BNSS along with affidavit stating that the petitioner has paid a sum of Rs.4,00,000/- to the respondent and also deposited a sum of



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Rs.1,00,000/- to the credit in S.T.C.No.179 of 2022 on the file of the learned Judicial Magistrate (Fast Track Court) Uthamapalayam.

5. At this juncture, the learned counsel for the respondent would submit that the respondent may be permitted to withdraw the deposited amount.

6. In view of the above, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 147 of the Negotiable Instruments Act. Consequently, the Criminal Revision Case is allowed and the judgments of the trial Court and the Appellate Court are set aside and the accused is acquitted from the charges levelled against him. The petitioner is directed to be released forthwith, unless his custody is required in connection with any other case. The respondent is permitted to withdraw the amount deposited by the petitioner. Consequently, Crl.M.P.(MD)Nos.2447 and 2504 of 2025, are ordered.

25.02.2025

Note : Issue order copy on 25.02.2025.

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR, J.

das

To

- 1.The Additional District (FTC), Theni.
- 2.The Judicial Magistrate, (Fast Tract Court),
Uthamapalayam, Theni District.
- 3.The Superintendent of Police,
Central Prison, Madurai.
- 4.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
Crl.R.C.(MD)No.233 of 2025

25.02.2025