



Crl.R.C.(MD).No.229 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2025

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CORAM :

THE HONOURABLE MR.JUSTICE K.K. RAMAKRISHNAN

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A.Chandrasekaran ... Petitioner/Appellant/Accused

Vs.

P.Boopathi ... Respondent/Respondent/
Complainant

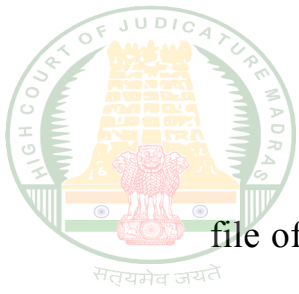
PRAYER: Criminal Revision Case has been filed under Section 397 r/w. 401 Cr.P.C., to set aside the conviction imposed in the judgment dated 02.12.2020 made in C.A.No.7 of 2020 on the file of the learned Sessions Judge, Karur confirming the conviction imposed in the judgment dated 19.12.2019 made in C.C.No.24 of 2018 on the file of the learned Judicial Magistrate (Fast Track Court), Karur, by allowing this Criminal Revision Petition.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondent : Mr.K.Suresh

ORDER

This Criminal Revision Case has been filed to set aside the impugned judgment dated 02.12.2020 made in C.A.No.7 of 2020 on the



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file of the learned Sessions Judge, Karur, confirming the judgment dated 19.12.2019 made in C.C.No.24 of 2018 on the file of the learned Judicial Magistrate (Fast Track Court), Karur.

2. The petitioner and the respondent are well known to each other. The petitioner borrowed a sum of Rs.3,00,000/- from the respondent on 31.03.2017 for his business. To discharge the said debt, he issued a post dated cheque bearing No.002804 for Rs.3 lakhs on the same day itself, drawn on the bank of Thiruvangoor Branch, Karur. The respondent presented the above said cheque for collection before his bank namely, the City Union Bank, Karur, on 07.04.2017 and the same was returned with an endorsement "In-sufficient funds". So, the respondent issued a legal notice on 19.04.2017. The petitioner received the said notice on 20.04.2017. He sent a reply notice on 26.04.2017 with false allegations. In such circumstances, the respondent filed a complaint under Section 138 of the Negotiable Instruments Act, before the learned Judicial Magistrate (Fast Track Court), Karur. The learned Judicial Magistrate took the complaint on file in C.C.No.24 of 2018.



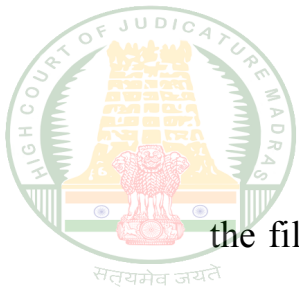
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3. Thereafter, on receipt of the summons, the petitioner appeared and contested the case. The learned Trial Judge after confirming the evidence of PW.1 and perusing the documents Ex.P1 to Ex.P6 passed the conviction under Section 138 of Negotiable Instruments Act to undergo 6 months Simple Imprisonment and directed to pay compensation of Rs.3,00,000/- in default to undergo 1 month of Simple Imprisonment by the Judgment, dated 19.12.2019.

4. Aggrieved over the same, the petitioner filed the Criminal Appeal in C.A.No.7 of 2020 on the file of the learned Sessions Judge, Karur. The learned Appellate Judge also confirmed the same. Hence, the petitioner preferred this revision before this Court.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

6. Today, when the matter came up for hearing, both the parties and their respective counsel appeared before this Court. The learned counsel for the petitioner submitted that the petitioner has already paid part of the amount of Rs.75,000/- to the credit of C.C.No.24 of 2018 on



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the file of the learned Judicial Magistrate (Fast Track Court), Karur, out of the cheque amount of Rs.3,00,000/- and also willing to pay the remaining cheque amount of Rs.2,25,000/- in two installments. He has also filed an undertaking affidavit to that effect. The contents of the above said undertaking affidavit is as follows:-

“2.I further state that this Hon'ble Court granted suspension of sentence by vide order dated 19.03.2021 on condition that I should deposit a sum of Rs.75,000/- to the credit of C.C.No.24/2018 on the file of the learned Judicial Magistrate (Fast Track Court), Karur. In pursuance to the same the said amount has been deposited.

*3.I further state that the Criminal Revision case came for hearing before the Hon'ble High Court, Madurai, on 25.08.2025. Since I wanted to settle the dispute a request was made on my behalf that **I am ready to deposit the remaining cheque amount i.e., Rs.2,25,000/- within 30th of September 2025.** I further undertake that **the said amount will be deposited in two installments i.e., I would deposit a sum of Rs. 1,00,000/- (One Lakh) by 15.09.2025 and the remaining amount of Rs.1,25,000/- (One Lakh Twenty Five Thousand) will be deposited on or before 30.09.2025.** The respondent herein may be permitted*



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to withdraw the entire cheque amount deposited by me.

*4.I further state that I may be **permitted to deposit the above said amounts to the credit of C.C.No.24 of 2018 on the file of learned Judicial Magistrate (Fast Track Court), Karur.***”

7. In view of the above said affidavit filed by the petitioner, the offence under Section 138 of the Negotiable Instruments Act stands compounded under Section 147 of the Negotiable Instruments Act.

8. Accordingly, the Criminal Revision case is allowed on the following terms:-

i) The conviction and sentence imposed by the learned Sessions Judge, Karur, in C.A.No.7 of 2020 dated 02.12.2020, confirming the conviction and sentence passed by the learned Judicial Magistrate (Fast Track Court), Karur, in C.C.No.24 of 2018 dated 19.12.2019, is hereby set aside on condition that the petitioner shall deposit a sum of **Rs.2,25,000/- (Rupees Two Lakhs and Twenty Five Thousand Only)** to the credit of C.C.No.24 of 2018 on the file of learned Judicial Magistrate (Fast Track Court), Karur, in two installments. The first installment amount of **Rs.1,00,000/- (Rupees One Lakh Only)** should be deposited



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on or before 18.09.2025 and the second installment amount of

Rs.1,25,000/- (Rupees One Lakh and Twenty Five Thousand Only)

should be deposited on or before 30.09.2025.

ii) In the event of failure to make the remaining amount of **Rs.2,25,000/- (Rupees Two Lakhs and Twenty Five Thousand Only)** as stated above, the conviction and sentence passed by the learned Judicial Magistrate (Fast Track Court), Karur, in C.C.No.24 of 2018 dated 19.12.2019, shall be automatically restored.

iii) Bail bond if any, executed by the accused shall stand discharged.

9. Post this matter on 30.09.2025 'for reporting compliance'.

25.08.2025

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



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To

1. The learned Sessions Judge,
Karur.
2. The learned Judicial Magistrate (Fast Track Court),
Karur.
3. The Section Officer,
Record Section (Crl.)
Madurai Bench of Madras High Court, Madurai.



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K.K. RAMAKRISHNAN. J.,

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