



Crl.R.C.(MD)No.531 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.531 of 2021

and

Crl.R.C(MD)Nos.5902 & 5903 of 2021

S.Saravanan

... Petitioner/Appellant/
Accused

Vs.

A.R.Sakthivel

... Respondent/Respondent/
Complainant

PRAYER : Criminal Revision Case filed under Section 397 r/w 401 B.N.S.S., to call for records pertaining to the order dated 03/02/2021 in C.A.No.21 of 2019 on the file of the Additional District and Sessions Judge, Dindigul Which was confirmed by the judgment in C.C.No.88 of 2013 on the file of District Munsif cum Judicial Magistrate, Natham, Dindigul District, dated 03.01.2019, set aside the same and allow this revision petition.

For Petitioner : Mr.F.Deepak

For Respondent : Mr.R.Thangapandian



Crl.R.C.(MD)/No.531 of 2021

WEB COPY

ORDER

This Criminal Revision Case has been filed, assailing the judgment in Crl.A.No.21 of 2019 on the file of the learned Additional District and Sessions Judge, Dindigul, dated 03.02.2021, confirming the judgment dated 03.01.2019 in C.C.No.88 of 2013 on the file of the learned District Munsif cum Judicial Magistrate, Natham, Dindigul District and acquit the accused.

2. The case of the respondent/complainant is that the petitioner borrowed a loan of Rs.1,30,000/- from the respondent in the month of April 2013 and he had issued a cheque, dated 25.06.2013 for an amount of Rs.1,30,000/-. When the respondent has presented the cheque for collection on 12.08.2013, the same was returned with reason “Insufficient fund” on 14.08.2013. Hence, the respondent has sent legal notice on 24.08.2013 to the petitioner demanding repayment of the amount covered by the cheque and on receipt of the said notice, on 26.08.2013, the petitioner gave a false reply. Therefore, the respondent has filed a private complaint for the offence under Section 138 of Negotiable Instruments Act, 1881 against the petitioner.

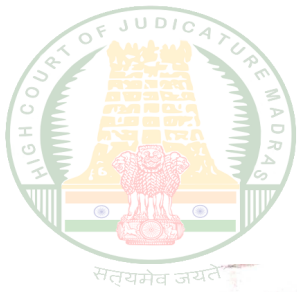


Crl.R.C.(MD)No.531 of 2021

WEB COPY

3. The complaint was taken on file by the learned District Munsif cum Judicial Magistrate, Natham, as C.C.No.88 of 2013. The learned Trial Court convicted the petitioner on 03.01.2019, for the offence under Section 138 of Negotiable Instruments Act, 1881 and sentenced him to undergo simple imprisonment for six months. Challenging the above said conviction and sentence, the petitioner has filed an appeal in Crl.A.No.21 of 2019 on the file of the Additional District and Sessions Judge, Dindigul and the Additional District and Sessions Judge, Dindigul, 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 Case.

4. The matter was referred to the National Lok Adalat before the High Court Legal Services Committee, Madurai and came before the National Lok Adalat on 14.06.2025 and the same has been settled wherein the revision petitioner had paid an amount of Rs.1,30,000/- to the respondent. The scanned copy of the award of the National Lok Adalat is as follows:-



WEB COPY



Crl.R.C.(MD)No.531 of 2021

[Signature]
Counsel for the Respondents

This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamilnadu Court Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

The Original of the award shall be place in the court record and copy of the award, kept with High Court Legal Services Committee and one copy each is furnished to both parties free of cost.

In agreement of the above, both parties and their counsel have affixed their signatures/ thumb impressions in presence of the Lok Adalat Bench admitting the terms and today conditions and accordingly, the award is passed.

[Signature]
JUDGE

[Signature]
MEMBER

[Signature]
MEMBER

To: The Parties/Advocate concerned

Copy To

1. Additional District and Sessions Court, Dindigul
2. District Munsif cum Judicial Magistrate, Natham
3. The Officer-in-Charge, High Court Legal Services Committee, Madurai.
4. The Section Officer, V.R. Section, Madurai Bench of Madras High Court, Madurai.

Criminal Records.

Typed By
✓ IA/SN/TMG
PA To The Hon'ble Judges



[Signature]
Assistant Registrar

①
42/106/2021



Crl.R.C.(MD)No.531 of 2021

WEB COPY

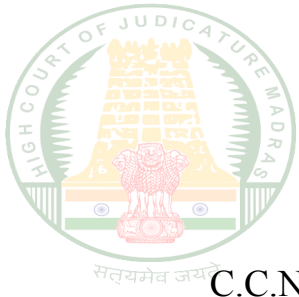
5. Heard both sides and carefully perused the materials available on record.

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 compromise and set aside the order of conviction and sentence imposed by the Courts below.

8. Accordingly, the award of National Lok Adalat dated 14.06.2025, is taken on file. The Criminal Revision Case is **allowed**. The conviction and sentence imposed upon the petitioner vide judgment dated 03.02.2021 in Crl.A.No.21 of 2019 on the file of the Additional District and Sessions Judge, Dindigul, confirming the judgment in

¹ (2022) 14 SCC 531



Crl.R.C.(MD)No.531 of 2021

WEB COPY

C.C.No.88 of 2013 on the file of District Munsif cum Judicial Magistrate, Natham, Dindigul District, dated 03.01.2019, is set aside and the petitioner is acquitted of the offence under Section 138 of Negotiable Instruments Act. Consequently, connected Miscellaneous Petitions are closed.

21.07.2025

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

gbg

To

- 1.The Additional District and Sessions Judge,
Dindigul.
- 2.The District Munsif cum Judicial Magistrate,
Natham, Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C.(MD)No.531 of 2021

L.VICTORIA GOWRI ,J.

gbg

Order made in
Crl.R.C.(MD)No.531 of 2021

Dated: 21.07.2025