



Crl.R.C.(MD).No.613 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2025

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE K.K. RAMAKRISHNAN

**Crl.R.C(MD).No.613 of 2019
and
Crl.M.P(MD).Nos.7592 & 7593 of 2019**

R.Manimegalai ... Petitioner/Appellant/Accused

Vs.

1.P.Ramalingam (Died) ... Respondent/Respondent/
Complainant

2.R.Mallika

3.M.Vijaya

4.R.Jothi

5.R.Vinothkumar ... Respondents 2 to 5

(Respondents 2 to 5 are impleaded as per order of this Court dated 20.08.2025 in Crl.MP(MD)No.11213 of 2025 in Crl.RC(MD)No.613 of 2019 by KKRKJ)

PRAYER: Criminal Revision Case has been filed under Section 397 r/w. 401 Cr.P.C., to set aside the judgment made in Crl.A.No.9 of 2019 on the file of the Additional District Judge, Karur, dated 29.04.2019 confirming the judgment made in C.C.No.322 of 2016 on the file of the Judicial Magistrate Fast Track Court, Karur, dated 09.01.2019.

For Petitioner : Mr.S.Gokul Raj

For Respondent : Mr.M.P.Senthil

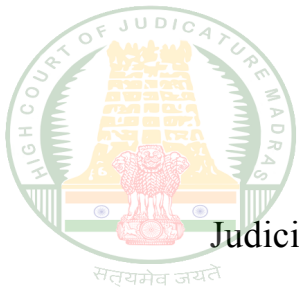


Crl.R.C.(MD).No.613 of 2019

ORDER

WEB COPY This Criminal Revision Case has been filed to set aside the Judgment of the passed by the learned Additional District Judge, Karur, in Crl.A.No.9 of 2019, dated 29.04.2019 confirming the conviction and sentence passed in S.T.C.No.246 of 2014, on the file of the Fast Track Court (Magisterial Level) No.I, Nagercoil, dated 18.10.2016.

2. The petitioner and the first respondent well known to each other. Based on that, on 14.06.2015, the petitioner borrowed a sum of Rs.5,00,000/- from the first respondent for interest at the rate of 1.5% per month by executing a promissory note. Thereafter, to discharge the said debt, he issued a post dated (21.09.2014) cheque bearing No.550198 on 06.09.2015 drawn on the bank of State Bank of India, Karur Branch. The respondent presented the cheque before the Indian Overseas Bank, Karur Gandhigramam Branch on 22.09.2015 and the same were returned on the same day itself with an endorsement “Funds in-sufficient” 23.09.2015. So, the respondent issued a legal notice on 09.10.2015 and the same was received by the petitioner on 13.10.2015. However, neither he paid the amount nor send any reply. Hence, the respondent filed a complaint under Section 138 of Negotiable Instrument Act before the



Crl.R.C.(MD).No.613 of 2019

Judicial Magistrate Fast Track Court, Karur. The learned Judicial Magistrate took the complaint on file in C.C.No.322 of 2016.

3. Thereafter, on receipt of the summons, the petitioner appeared and contested the case. The learned Trial Judge after considering the evidence of PW.1 & P.W.2 and D.W.1 to D.W.4 and perusing the documents Ex.A1 to Ex.A5, and marking the material object as MO.1, passed the conviction under Section 138 of Negotiable Instruments Act, to undergo 6 months Simple Imprisonment and directed to pay fine of Rs.3,000/-, in default to undergo 30 days Simple Imprisonment by Judgment, dated 18.10.2016.

4. Aggrieved over the same, the petitioner filed the Criminal Appeal in Crl.A.No.9 of 2019 on the file of the learned Additional District Judge, Karur. The learned Appellate Judge also confirmed the same. Hence, the petitioner preferred this revision before this Court.

5. During the pendency of this Revision, the first respondent/complainant died. Hence, his legal heirs were impleaded as respondents 2 to 5.



Crl.R.C.(MD).No.613 of 2019

6. Today (ie., on 22.08.2025), when the matter came up for hearing, both the learned counsel on record would submit that they have already settled the matter and the entire cheque amount has been received by the legal heirs of the complainant. They filed a joint compromise memo on 22.08.2025 to that effect. The terms and conditions of the said joint compromise memo is as follows:-

“a. The respondent and the petitioner are consented to entered into compromise with the consent of the other legal heirs of one late. Ramalingam.

b. The respondent with consent of the other legal heirs had received entre cheque amount sum of rs.5,00,000/-.

c. The respondent with consent of the other legal heirs has given consent to allow the criminal revision petition by set aside the judgments of the courts below.

d. The respondent has given consent without any coercion and compulsion for allowing the present criminal revision petition.”

7.The contents of the above said memo were read over and explained to both the parties and they would admit the same. The memo filed by both the parties is recorded.



Crl.R.C.(MD).No.613 of 2019

8. Accordingly, the conviction and sentence imposed by the Judicial Magistrate Fast Track Court, Karur, in C.C.No.322 of 2016, dated 09.01.2019, confirmed by the learned Additional District Judge, Karur, in Crl.A.No.9 of 2019 dated 29.04.2019, is hereby set aside and the Criminal Revision case is allowed. The petitioner/accused is acquitted from the charges levelled against her. Bail bond if any, executed by the accused shall stand discharged. Consequently, connected miscellaneous petitions are closed.

22.08.2025

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

To

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



WEB COPY



Crl.R.C.(MD).No.613 of 2019

K.K. RAMAKRISHNAN. J.,

dss

Crl.R.C(MD).No.613 of 2019
and
Crl.M.P(MD).Nos.7592 & 7593 of 2019

22.08.2025