



**CRL OP(MD). No.15686 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**Dated : 07.11.2025**

**CORAM**

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

**CRL OP(MD). No.15686 of 2025  
and  
CrI.MP(MD)No.12784 of 2025**

**Yasmin,**

**... Petitioner**

**Vs.**

**M.Umarani,**

**... Respondent**

**PRAYER :-** This Petition is filed under Section 528 BNSS, to call for the records and quash the impugned Judgment dated 12.12.2023 in C.C. No. 6 of 2019 on the file of the Fast Track Court (Magisterial Level), Uthamapalayam.

**For Petitioner : Mr.D.Venkatesh,**

**For Respondent : M/s.Simiyon Vergil**

**ORDER**

This petition is filed under Section 528 of BNSS (corresponding to Section 482 Cr.P.C.,) to set aside the judgment of conviction and sentence imposed on the petitioner on the ground of compromise.



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2. The allegation against the petitioner is that he had borrowed a sum of Rs.3,00,000/- and issued cheque towards repayment of the loan amount; that when the cheque was presented for collection, it was returned with the endorsement “Account closed”; and that in spite of the statutory notice he did not made the payment.

3. Admittedly, the petitioner and the respondent have now entered into a compromise and decided to give a quietus to the entire dispute. The parties have filed a joint compromise memo dated 07.11.2025.

4. The petitioner and the respondent are present before this Court in person. The respondent / complainant would confirm the receipt of the cheque amount from the petitioner and she has no objection for setting aside the judgment of conviction and sentence imposed by the Fast Track Court (Magisterial Level), Uthamapalayam in C.C. No. 6 of 2019 dated 12.12.2023. All the parties confirmed the compromise arrived at between them.



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5. The learned counsel for the petitioner would submit that the petitioner was convicted for the offence under Section 138 N.I.Act, in C.C.No.6 of 2019 by the judgment dated 12.12.2023 and sentenced to undergo six months simple imprisonment. It is the case of the petitioner that the petitioner had not filed any appeal challenging the said judgment.

6. It appears that the judgment of conviction has not been executed sofar. In the meanwhile, it appears that the petitioner and the respondent had entered into a compromise as stated above.

7. The learned counsel for the petitioner would submit that this Court in exercise of power under Section 482 Cr.P.C (corresponding to Section 528 BNSS), can set aside the conviction and relied upon a judgment of this Court in ***Crl.O.P.No.14252 of 2019 (D.Felix Thyagarajan V. M.D.Radhakrishnan) dated 03.07.2019.***

8. Applying the principles laid down in the aforesaid judgment, this Court is inclined to accept the compromise and set aside the



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conviction and sentence imposed on the petitioner by the Fast Track Court (Magisterial Level), Uthamapalayam.

9. Accordingly, the judgment of conviction and sentence dated 12.12.2023 in C.C. No. 6 of 2019 on the file of the Fast Track Court (Magisterial Level), Uthamapalayam, is set aside. The Criminal Original Petition stands allowed.

10. The joint compromise memo dated 07.11.2025 shall form part of the order. Consequently, connected Miscellaneous Petition is closed. The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the “District Siddha Medical Officer, CCRI, Periyakulam” (Account No.10767823177, IFSC Code: SBIN0000898, MICR Code: 625002601) and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

**07.11.2025**

Index: Yes/ No  
Neutral Citation: Yes / No  
Speaking Order / Non-Speaking Order  
LS/ars



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TO

1. The Fast Track Court (Magisterial Level),  
Uthamapalayam.

2. The Section Officer,  
Criminal Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**SUNDER MOHAN,J**

LS/ars

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