



*Crl.R.C.(MD).No.830 of 2019*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

Crl.RC(MD)No.830 of 2019

V.Muruganantham

... Petitioner/Appellant/Accused

Vs.

M.Dhanapal

... Respondent/Respondent/Complainant

**PRAYER:** Criminal Revision Case has been filed under Section 397 r/w 401 of Cr.P.C., to set aside the order passed in C.A.No.42 of 2018 on the file of the Principal District and Sessions Judge, Dindigul, dated 03.09.2019 confirming the order of conviction passed in C.C.No.174 of 2013, dated 17.05.2018 on the file of the learned District Munsif cum Judicial Magistrate, Vedasandur.

For Petitioner : Mr.B.Prahalad Ravi

For Respondent : Mr.A.Jayaramachandran



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**ORDER**

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This criminal revision case has been filed to set aside the order passed in C.A.No.42 of 2018 on the file of the Principal District and Sessions Judge, Dindigul, dated 03.09.2019 confirming the order of conviction passed in C.C.No.174 of 2013, dated 17.05.2018 on the file of the learned District Munsif cum Judicial Magistrate, Veda sandur.

2.The case of the complainant is that the accused borrowed a sum of Rs.5,00,000/- from him on 06.07.2019 and issued a cheque bearing Cheque No. 23006 dated 05.08.2013 in discharge of the debt. The said cheque was presented by the complainant for collection in his bank namely Canara Bank, Veda sandur Branch on 05.08.2013 and the same was returned for “Insufficient Funds” on 06.08.2013. Hence, he sent legal notice dated 16.08.2013. On receipt of the legal notice, the accused neither repaid the amount nor sent any reply. Hence, the respondent initiated the proceedings under Section 138 of Negotiable Instruments Act, on the file of the learned District Munsif cum Judicial Magistrate, Veda sandur, in C.C.No.310 of 2016.



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3. Thereafter, on receipt of the summons, the petitioner appeared and contested the case. During trial, on the side of the complainant PW1 to PW3 were examined and Ex.P1 to Ex.P6 were marked. On the side of the accused DW1 was examined and no documents were marked.

4. The learned District Munsif cum Judicial Magistrate, Veda sandur, after full-fledged trial, has passed the Judgment in C.C.No.310 of 2016 dated 17.05.2018 and convicted the petitioner for the offence under Section 138 of the Negotiable Instrument Act and sentenced him to undergo six months simple imprisonment and to pay fine of Rs.4,000/- in default to undergo 30 days of simple imprisonment. Challenging the above said conviction and sentence, the petitioner preferred the Criminal Appeal before the learned Principal District and Sessions Judge, Dindigul, in C.A.No.42 of 2018. However, the same was dismissed on 03.09.2019, thereby confirming the conviction and sentence imposed on the petitioner. Aggrieved over the above said conviction and sentence imposed by the Courts below, the petitioner has preferred the present Criminal Revision Case.



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5.Today (ie., on 22.08.2025), when the matter is taken up for hearing, both the learned counsel on record would submit that they have already settled the matter and the petitioner has already deposited a sum of Rs.2,50,000/- before the trial Court and the respondent now is agreed to withdraw Rs.2,25,000/-. To that effect the learned counsel for the petitioner filed the typed set of papers containing the memo issued by the respondent/complainant, which are extracted hereunder:

In Memo dated 22.08.2025, it has been stated as follows:

*“It is respectfully submitted that the petitioner and the respondent have compromised the above Crl.R.C. Proceedings in the following terms:*

- 1) The Respondent has agreed to withdraw a sum of Rs.2,25,000/- out of Rs.2,50,000/- deposited by the petitioner before the District Munsif cum Judicial Magistrate, Vendasandur in C.C.No.174 of 2013.*
- 2) the rest of the amount of Rs.25,000/- is payable to the petitioner.*

*It is therefore prayed that this Hon'ble Court may be pleased to accept this Memo filed in terms of Compromise taken place between the Petitioner and the Respondent and set aside the conviction order, dated 17.05.2018 passed in C.C.No.174 of 2013 on the file of the District Munsif cum Judicial Magistrate, Vendasandur as confirmed in Crl.A.No.42 of 2018 on the file of the Principal Sessions Court, Dindigul.”*



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

7.In view of the compromise entered between the parties, the offence under section 138 of the Negotiable Instruments Act stands compounded under Section 147 of the Negotiable Instruments Act.

8.Accordingly, the conviction and sentence imposed by the learned District Munsif cum Judicial Magistrate, Veda sandur, in C.C.No.310 of 2016 dated 17.05.2018 and confirmed by the learned Principal District and Sessions Judge, Dindigul, in C.A.No.42 of 2018, dated 03.09.2019 is hereby set aside and the Criminal Revision case is allowed. The accused is acquitted from the charges levelled against him. Bail bond if any, executed by the accused shall stand discharged. The respondent is hereby permitted to withdraw the deposit amount of Rs.2,25,000/-.

**22.08.2025**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No  
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- To
- 1.The Principal District and Sessions Judge, Dindigul.
  - 2.The District Munsif cum Judicial Magistrate, Veda sandur.
  - 3.The Section Officer,  
Criminal Record,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.K.RAMAKRISHNAN, J.**

*TM/sbn*

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