



CrI.R.C.(MD) No.1393 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CrI.R.C.(MD)No.1393 of 2024

and

CrI.M.P.(MD)No. 2544 of 2025

A.M.Palanisamy

... Petitioner/Appellant/Accused

Vs.

K.Palanisamy

... Respondent/Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 438 r/w 442 of BNSS, to call for the records of judgment, dated 17.02.2016 passed in CrI.A.No.21 of 2015 on the file of the Mahalir Fast Track Court, Karur, modified the judgment passed in C.C.No.737 of 2012, dated 06.02.2015 on the file of the Judicial Magistrate (FTC) Karur and set aside the same.

For Petitioner : Mr.S.Muniyandi

For Respondent : Mr.V.Nagarajan

ORDER

The Criminal Revision Case is directed against the Judgment of conviction passed in C.A.No.21 of 2015, dated 17.02.2016 on the file of the Mahalir Fast Track Court, Karur, modifying the Judgment of conviction and sentence, dated 06.02.2015 passed in C.C.No.737 of 2012, dated 06.02.2015 on the file of the Judicial Magistrate (FTC) Karur.



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2. When the matter was taken up for hearing on 14.02.2025, considering the submission made by the learned counsel for the petitioner and the respondent that the matter was settled between the parties, this Court has directed the petitioner to deposit 5% of the agreed amount before the High Court Legal Service Authority of this Bench.

3. Today (26.03.2025), when the matter is taken up for hearing, the learned counsel for the petitioner has filed a memo along with receipt to show that 5% of the agreed amount (Rs.10,000/-) was deposited before the High Court Legal Services Committee, in pursuance of the directions of this Court. The said memo is recorded. He has also filed an application under Section 359(6) of BNSS along with affidavit stating that the petitioner has deposited 50% of the cheque amount ie., Rs.1,00,000/- to the credit in C.C.No.737 of 2012 before the learned Judicial Magistrate (FTC), Karur and also paid a sum of Rs.1,00,000/- to the respondent by cash.

4. At this juncture, the learned counsel for the respondent would submit that the respondent may be permitted to withdraw the amount deposited by the petitioner.



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5. In view of the above, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 147 of the Negotiable Instruments Act. Consequently, the Criminal Revision Case is allowed and the judgments of the trial Court and the Appellate Court are set aside and the accused is acquitted from the charges levelled against him. The respondent is permitted to withdraw the amount, which was deposited by the petitioner by filing necessary application before the trial Court. Consequently, Crl.M.P. (MD)No.2544 of 2025, is ordered.

26.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Mahalir Fast Track Court, Karur.
- 2.The Judicial Magistrate (FTC) Karur.
- 3.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

das

Order made in
Crl.R.C.(MD)No.1393 of 2024
and
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26.03.2025