



Crl.R.C.(MD)No.1018 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.1018 of 2024

and

Crl.M.P.(MD)No.4098 of 2025

M.Anil Kumar

... Petitioner

Vs.

C.Kanagasubramanian

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 & 442 B.N.S.S., to admit the revision on file and to call for the records in Crl.A.No.65 of 2022 dated 20.06.2024 on the file of the Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur, confirming the judgment in S.T.C.No.433 of 2021 dated 27.05.2022 on the file of the learned Judicial Magistrate No.I, Sivakasi, and duly set aside the judgment of the courts below by acquitting the revision petitioner.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : Mr.C.Murugavel



Crl.R.C.(MD)No.1018 of 2024

WEB COPY

ORDER

The Criminal Revision is directed against the Judgment of conviction and sentence passed in Crl.A.No.65 of 2022, dated 20.06.2024 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputtur, confirming the Judgment of conviction and sentence, dated 27.05.2022 passed in S.T.C.No.433 of 2021 on the file of the Judicial Magistrate No.1, Sivakasi.

2. It is evident from the records that the petitioner has been convicted for the alleged offence under Section 138 of Negotiable Instruments Act and sentenced to undergo six months simple imprisonment and to pay compensation of Rs.67,784/-, in default, to undergo two months simple imprisonment vide judgment dated 27.05.2022 in S.T.C.No.433 of 2021, that aggrieved by the said order, the petitioner has preferred an appeal in Crl.A.No.65 of 2022 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputtur and that the learned Sessions Judge confirmed the conviction and sentence and dismissed the appeal. Challenging the said conviction and sentence, the present revision came to be filed.



Crl.R.C.(MD)No.1018 of 2024

WEB COPY

3. When the matter was taken up for hearing on 21.02.2025, considering the submissions made by the learned counsel on either side that the matter has been settled between the parties, this Court directed the petitioner to deposit 5% of the settled amount before the Legal Services Authority attached to this Bench. In pursuance of the said direction, the learned counsel appearing for the petitioner has filed a memo dated 14.03.2025 along with the receipt to show that the petitioner has deposited Rs.3,395/- (Rupees Three Thousand Three Hundred and Ninety Five only) being 5% of the settled amount of Rs.67,895/- before the High Court Legal Services Committee attached to this Bench.

4. When the matter is taken up for hearing today, the petitioner/accused and the respondent/complainant are present before this Court.

5. The learned counsel appearing for the petitioner has filed a compounding petition, wherein, it has been stated that the petitioner has already deposited Rs.64,395/- before the Court below and he has given a Demand Draft (No.154435313 dated 18.02.2025) for Rs.3,500/- (Rupees Three Thousand and Five Hundred only) to the respondent and he has



Crl.R.C.(MD)No.1018 of 2024

also produced the copy of the Demand Draft.

WEB COPY

6. In view of the above, the offence under Section 138 of Negotiable Instruments Act stands compounded under Section 359(6) B.N.S.S.. Hence, the Criminal Revision Case stands allowed and the judgments of the trial Court and the Appellate Court are set aside and the petitioner is acquitted from the charges levelled against him. Consequently, Crl.M.P.(MD)No.4098 of 2025 is ordered. The respondent is permitted to withdraw the amount that was deposited by the petitioner as per directions of the appellate Court as well as by this Court. No costs.

27.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

1.The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputhur.

2.The Judicial Magistrate No.1,
Sivakasi.

3.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

4/6



WEB COPY



Crl.R.C.(MD)No.1018 of 2024



WEB COPY



Crl.R.C.(MD)No.1018 of 2024

K.MURALI SHANKAR,J.

csn

Order made in
Crl.R.C.(MD)No.1018 of 2024
and
Crl.M.P.(MD)No.4098 of 2025

Dated: 27.03.2025