



WEB COPY

CRL RC No. 21 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL.R.C.No.21 of 2022

and

CrI.M.P.No.309 of 2026

1. Polo Knit Wear

Rep by its

Managing Partner, N.Muthukumar,

Pudur Road,

72, K.N.P.Subramani Nagar,

Tiruppur – 641 608.

2.N.Muthukumar

Managing Partner of Polo Knit Wear,

Pudur Road,

72, K.N.P. Subramani Nagar,

Tiruppur – 641 608.

3.R.Senthil

Partner of Polo Knit Wear,

Pudur Road,

72, K.N.P. Subramani Nagar,

Tiruppur – 641 608.

Petitioners/A1 to A3

Vs

A.Thiruppathi Raj,

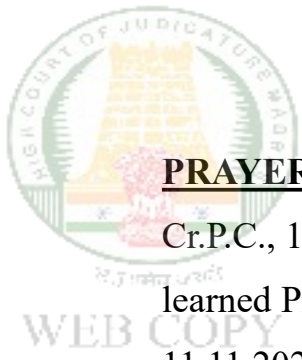
S/o. Arumugam,

Proprietor of Super Packaging,

Old Sillukuvar Patti,

Nillakottai Taluk, Dindigul.

Respondent/Complainant



PRAYER: Criminal Revision Petition filed under Sections 397 r/w 401 of Cr.P.C., 1973 praying to call for the records and set aside the order passed by the learned Principal Sessions Judge, Tiruppur, made in Crl.A.No.102 of 2018 dated 11.11.2021, confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court, Tiruppur in C.C.No.21 of 2013, by judgment dated 24.09.2018.

For Petitioner(s): Mr.Ganesh Rajan

For Respondent(s): Mr.C Gandhinathan

ORDER

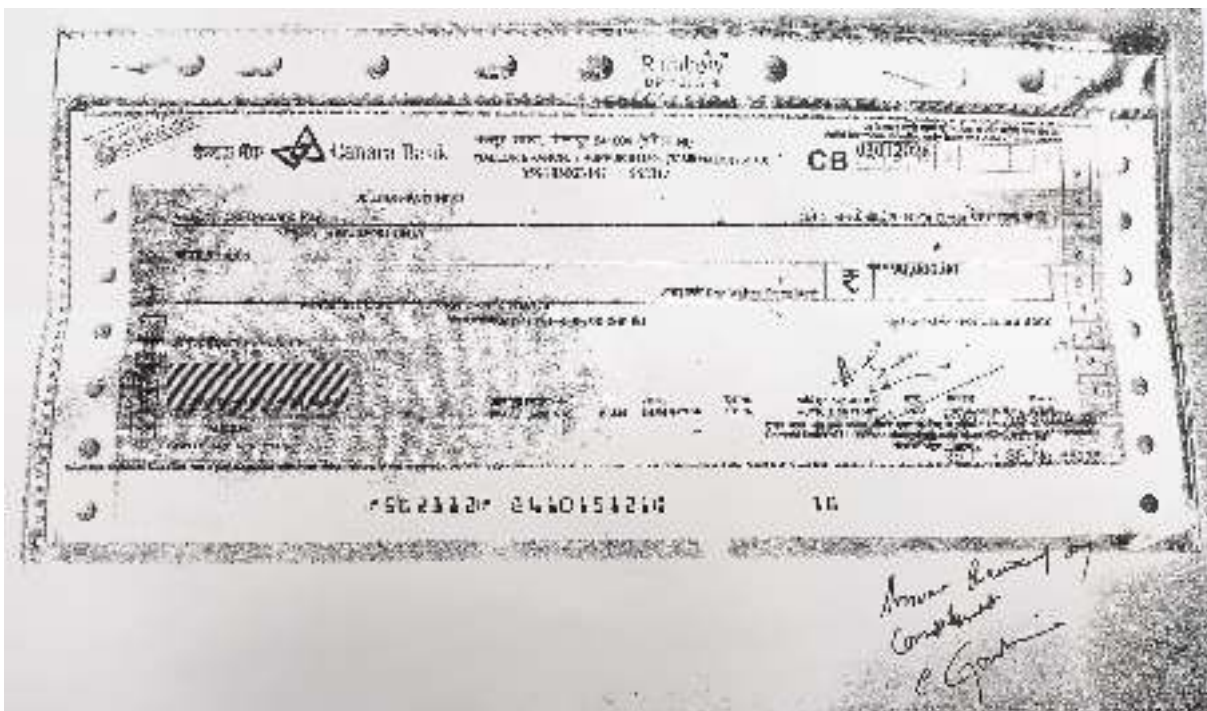
The petitioners/A1 to A3 prosecuted by the respondent for offence under Section 138 of the Negotiable Instruments Act ('N.I. Act') in C.C.No.21 of 2013. The trial Court, by the judgment dated 24.09.2018, convicted the petitioners and A1 being a Firm, sentenced to pay fine of Rs.30,000/-, A2 sentenced to undergo six months simple imprisonment and to pay fine of Rs.60,000/-, in default, to undergo further period of two months simple imprisonment and A3 sentenced to undergo six months simple imprisonment and to pay fine of Rs.90,000/-, in default, to undergo further period of two months simple imprisonment. Aggrieved against the same, the petitioners filed an appeal before the learned Principal Sessions Judge, Tiruppur in Crl.A.No.102 of 2018. The learned Principal Sessions Judge, by judgment dated 11.11.2021, dismissed the appeal



confirming the conviction and sentence of the trial Court, against which, the present revision filed.

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2. Pursuant to the order passed by this Court on 05.01.2026, today, the petitioner/accused and the respondent/complainant present in person and confirm the compromise arrived between them. In support of the same, the learned counsel for respondent filed a petition under Section 147 of the Negotiable Instruments Act, 1881 in CrI.M.P.No.309 of 2026 for compounding the offence, along with the copy of demand draft for a sum of Rs.90,000/-. The Demand Draft is extracted hereunder:





3. In view of the compromise arrived at between the parties and considering the petition under Section 147 of the Negotiable Instruments Act, the offence under Section 138 of the Negotiable Instruments Act in C.C. No.21 of 2013 is compounded and the petition is ordered.

4.The learned counsel for respondent submitted that the respondent can file a petition to receive the amount of Rs.90,000/-, earlier remitted to the credit of C.C.No.21 of 2013. The learned counsel for the petitioners has no objection for the same.

5.In view of the same, the conviction and sentence imposed on the petitioners vide judgment dated 11.11.2021 made in Crl.A.No.102 of 2018 by the Principal Sessions Judge, Tiruppur, confirming the judgment dated 24.09.2018 made in C.C.No.21 of 2013 by the Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruppur, is set aside and the revision petitioners acquitted from the charges for offence under Section 138 of the Negotiable Instruments Act.

6.The petitioners/accused already remitted a sum of Rs.90,000/- to the credit of C.C.No.21 of 2013 on the file of Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruppur. In view of the compounding of the offence, the



Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruppur, is directed to return the amount of Rs.90,000/- lying in the credit of C.C.No.21 of 2013 to the respondent/complainant dispensing notice to the petitioners/accused, after filing appropriate petition/Memo by the respondent/complainant.

7.In the result, the Criminal Revision Case is allowed.

07.01.2026

Index: Yes/No

Speaking / Non-speaking order

Neutral citation : Yes/No

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To

1.The Principal Sessions Judge,
Tiruppur.

2.The Judicial Magistrate,
Fast Track Court at Magisterial Level,
Tiruppur.



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M. NIRMAL KUMAR, J.

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