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CRL RC No. 352 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 352 of 2026

V.Yuvaraj

...Petitioner(s)

Vs

S.Gowthaman

... Respondent(s)

PRAYER: Criminal Revision Case filed under Section 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the conviction and sentence passed in Crl.A.No.02 of 2022 by the learned District and Sessions Judge, Tirupattur dated 31.07.2024 by confirming the sentence imposed in S.T.C.No.692 of 2018 dated 20.12.2021 by learned Additional District Munsif cum Judicial Magistrate, Ambur and allow this criminal revision petition.

For Petitioner(s): Mr. B.Gopalakrishnan

For Respondent(s): Mr.R.Suryaprakash

ORDER

This revision challenges the judgment of conviction and sentence imposed on the petitioner passed by the learned District and Sessions Judge, Tirupattur in Crl.A.No.02 of 2022 dated 31.07.2024 confirming the judgment dated 20.12.2021 passed by the learned Additional District Munsif-cum-Judicial Magistrate, Ambur in STC.No.692 of 2018 dated 20.12.2021, convicting the petitioner for the offence under section 138 of the Negotiable Instruments Act, 1881 and sentencing him to undergo six months simple imprisonment and pay a



compensation of Rs.1,32,000/- and in default, to suffer two months simple imprisonment.

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2. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.1,32,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned stating 'funds insufficient'; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

3. During the pendency of the revision, the parties had entered into a compromise and filed a joint compromise memo. As per the said compromise, the respondent has agreed to receive the cheque amount of Rs.1,32,000/- in full and final settlement of all his claims.

4. The respondent is present before this Court in-person and confirmed the compromise and the fact that he had received a sum of Rs.1,32,000/- from the petitioner.

5. In view of the above and since the offence under Section 138 of the Negotiable Instruments Act, is compoundable, this Court is inclined to accept the Joint Compromise Memo dated 13.02.2026, and set aside the conviction and sentence imposed on the petitioner by the trial Court.



6. Accordingly, the Joint Compromise Memo dated 13.02.2026 is taken on record.

7. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 13.02.2026. The conviction and Sentence imposed upon the petitioner vide judgment dated 20.12.2021 made in S.T.C.No.692 of 2018, by the learned Additional District Munsif -cum- Judicial Magistrate, Ambur and confirmed by the judgment dated 31.07.2024 made in Crl.A.No.02 of 2022 passed by the learned District and Sessions Judge, Tirupattur, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act. Fine amount, if any, paid by the petitioner shall be refunded. Bail bond, if any, executed shall stand discharged.

8. The petitioner is directed to pay a sum of Rs.3,000/- (Rupees Three Thousand only) to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, within a period of two weeks from the date of receipt of copy of this order.

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Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

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To

1. The District and Sessions Judge, Tirupattur
2. The Additional District Munsif cum Judicial Magistrate, Ambur



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SUNDER MOHAN J.

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