



WEB COPY

CRL RC No. 295 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.RC.No. 295 of 2026

and

Crl.M.P.Nos.2162 and 2163 of 2026

1. M/s. Minerva Digital World

Represented by its Partner
S.V.Jayakumar,
Door No. 35/9,
Indira Nagar First Street,
Near HDFC Bank,
Near CSI Church,
Avinashi Road, Tirupur- 641 603.

2. S.V.Jayakumar

Partner of M/s.Minerva Digital World,
Door No.35/9,
Indira Nagar First Street,
Near HDFC Bank, Near CSI Church,
Avinashi Road, Tirupur- 641 603.

3. J. Prabavathi

Partner of M/s. Minerva Digital World,
Block No. G403, D.No. 11/2,
Navarathna Apartment, Kaniyam Poondi,
Solipalayam, 15, Velampalayam,
Avinashi Road,
Tirupur- 641 633.

...Petitioner(s)

Vs.

P. Srinivasan

S/o.N.Ponnusamy,
D.No. 36-4, Pichampalayam,
Etari Road,
Tiruppur.

...Respondent(s)



PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, 2023, to set aside the order judgement passed in Crl.A.No.24 of 2024 dated 07.11.2025 on the file of the I-Additional District and Sessions Judge, Tiruppur in confirmed the order of conviction dated 21.12.2023 passed in C.C.No. 373 of 2013 on the file of the Judicial Magistrate (Fast Track Court), Tiruppur and sentencing the petitioner to undergo simple imprisonment of 6 months for the offence under Section 138 of the Negotiable Instruments Act, 1882 and to pay sum of Rs.7,70,000/- in default to undergo Simple Imprisonment of one months under Section 357(3) of the Criminal Procedure Code, 1973.

For Petitioner(s): Mr.Deepanuday

For Respondent(s): Mr.V.K.Vengadesh Durai Raja

ORDER

This revision challenges the judgment of conviction and sentence imposed on the petitioners 2 and 3 passed by the learned I-Additional District and Sessions Judge, Tiruppur in Crl.A.No.24 of 2024 dated 07.11.2025 confirming the judgment dated 21.12.2023 passed by the learned Judicial Magistrate, Fast Track Court, Tiruppur, in C.C.No.373 of 2013 dated 21.12.2023, convicting the petitioners 2 and 3 for the offence under Section 138 of the Negotiable Instruments Act, 1881 and sentencing them to undergo six months simple imprisonment and pay a compensation of Rs.7,70,000/- and in default, to suffer one month simple imprisonment.

2. It is the case of the respondent that the 1st petitioner is a Partnership Firm and petitioners 2 and 3 are the partners; that the 2nd petitioner had issued a



cheque for sum of Rs.7,70,000/-, 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 petitioners 2 and 3 did not make the payment; and hence liable for the said offence.

3. When the matter was taken up for admission, the learned counsel for the petitioners and the respondent submitted that the parties have entered into a compromise, by which the respondent had agreed to receive a sum of Rs.6,00,000/- in full and final settlement of all his claims; and that he had received a sum of Rs.4,50,000/- so far. The petitioners 2 and 3 have also deposited a sum of Rs.1,50,000/- before the Court in C.C.No.373 of 2013 on the file of the learned Judicial Magistrate, Fast Track Court, Tiruppur.

4. The respondent is present through VC and identified by his counsel, and he confirms the compromise arrived at between the parties and the fact that he had received Rs.4,50,000/- so far.

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 29.01.2026, and set aside the conviction and sentence imposed on the petitioners 2 and 3 by the trial Court.



6. Accordingly, the Joint Compromise Memo dated 29.01.2026 is taken on record. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 29.01.2026. The conviction and Sentence imposed upon the petitioners 2 and 3 vide judgment dated 21.12.2023 made in C.C.No.373 of 2013, by the learned Judicial Magistrate, Fast Track Court, Tiruppur and confirmed by the judgment dated 07.11.2025 made in Crl.A.No.24 of 2024 passed by the learned I-Additional District and Sessions Judge, Tiruppur, are set aside and the petitioners are acquitted of the offence under Section 138 of the Negotiable Instruments Act. Fine amount, if any, paid by the petitioners 2 and 3 shall be refunded. Bail bond, if any, executed shall stand discharged. The respondent is permitted to withdraw the deposited amount along with accrued interest, if any. Consequently, connected Criminal Miscellaneous Petitions are closed.

11-02-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The I-Additional District and Sessions Judge, Tiruppur
2. The Judicial Magistrate, Fast Track Court, Tiruppur



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