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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC.No.423 of 2026

and Crl. M.P. No.3208 of 2026

Kamalakar
S/o.Krishnamandiri,
No.36, Golapalli Village,
Diguvamasapalli Post,
Chittoor District,
Andhra Pradesh.

..Petitioner(s)

Vs

S.Nagaraj
S/o.Subramani Chettiyar,
D.No.278, Main Road,
Paradarami Village, Gudiyatham,
Vellore District.

..Respondent(s)

PRAYER – This Criminal Revision is filed under Sections 438 read with 442 of B.N.S.S., 2023, to call for the records in C.A. No.42 of 2024 on the file of the District and Sessions Judge at Vellore dated 24.02.2025, confirming the judgment of conviction imposed by the learned Judicial Magistrate, Gudiyatham in C.C. No.5 of 2016 dated 09.09.2024 and to set aside the sentence of conviction against the revision petitioner/accused herein as imposed by the



learned Judicial Magistrate, Gudiyatham, in C.C.No.5 of 2016, dated 09.09.2024.

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For Petitioner(s): Mr.G.SHIVA SURYA

For Respondent(s): Ms.B.Shermi Adam

ORDER

The revision challenges the Judgment dated 24.02.2025 passed in Criminal Appeal No. 42 of 2024 by the District and Sessions Judge, Vellore, confirming the conviction and sentence imposed on the petitioner for the offence under Section 138 of the Negotiable Instruments Act by Judgment dated 09.09.2024 in C.C. No.5 of 2016 by the learned Judicial Magistrate, Gudiyatham. The petitioner was sentenced to undergo one year of rigorous imprisonment and to pay compensation of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only), carrying a default sentence of simple imprisonment for three months for the aforesaid offence.

2.It appears that the petitioner has been arrested pursuant to the impugned judgment and is in custody since 03.02.2026. Thereafter, the petitioner's wife had arrived at a compromise with the respondent.



3. When the revision is taken up for admission, learned counsels on either side would submit that the parties have entered into a compromise by which the respondent had agreed to receive the entire cheque amount in full and final settlement of all his claims. A Joint Compromise Memo dated 09.02.2026 has also been filed by the parties.

4. The petitioner is present. The respondent identified by his counsel is present, and he confirmed the compromise and the fact that he has received the entire cheque amount.

5. In view of the compromise arrived at 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 09.02.2026 and set aside the conviction and sentence imposed on the petitioner by the trial Court.

6. Accordingly, the Joint Compromise Memo dated 09.02.2026 is taken on file. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 09.02.2026. The conviction and sentence imposed on the petitioner vide judgment dated 09.09.2024 in C.C. No.5 of 2016 by the learned Judicial Magistrate, Gudiyatham, and confirmed by Judgment dated 24.02.2025 in C.A.No.42 of 2024 by the learned District and Sessions Judge, Vellore, are set



aside, and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act. The petitioner who is under imprisonment is set at liberty forthwith. Fine amount, if any, paid by the petitioner shall be refunded. Bail bond, if any, executed shall stand discharged. Consequently, the connected miscellaneous petition is closed.

19-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
GSA

Note : Issue order copy today.

To

1. The District and Sessions Judge,
Vellore.
2. The Judicial Magistrate,
Gudiyatham.
3. The Central Prison,
Vellore.



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SUNDER MOHAN, J.

GSA

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