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Crl.R.C. No. 1644 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl. R.C. No. 1644 of 2025

T.K. Rajan,
S/o. Kannaiyan,
No. 5/3, Chinna Thambiran Street,
Erukkancherry,
Chennai –600 118.

..Petitioner

Vs.

P. Jaganathan,
S/o. Paulraj,
No. 93.G.N.T. Road,
Erukkancherry,
Chennai – 600 118.

..Respondent

Prayer: Criminal Revision Petition under Section 438 r/w 442 of BNSS to set aside the judgment dated 09.01.2024 passed in C.C. No. 761 of 2014 by the learned XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai which has been confirmed by the judgment dated 24.01.2025 passed in Crl.A. No. 126 of 2024 by the learned XXI Additional Sessions Judge, City Civil Court, Allikulam, Chennai.



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Crl.R.C. No. 1644 of 2025

For Petitioner :: Mr.A. Kumanaraja

For Respondent :: Ms.M. Saranya

O R D E R

The revision challenges the judgment dated 24.01.2025 passed in Crl.A. No. 126 of 2024 by the learned XXI Additional Sessions Judge, City Civil Court, Allikulam, Chennai confirming the judgment dated 09.01.2024 passed by the learned Magistrate in C.C. No. 761 of 2014 convicting the petitioner for the offence under Section 138 of Negotiable Instruments Act and sentencing him to undergo simple imprisonment for 3 months and to pay compensation of Rs.2,00,000/- carrying a default sentence of simple imprisonment for 4 weeks.

2. Pending the revision, the parties have arrived at a compromise and the respondent/de facto complainant has agreed to receive a sum of Rs.2,75,000/- in full and final settlement of all his claims against the petitioner.



Crl.R.C. No. 1644 of 2025

3. The learned counsel for the petitioner has filed a memo dated 28.01.2026 stating that a sum of Rs.2,00,000/- (Rupees Two Lakhs only) has been paid today by the revision petitioner to the respondent as per order dated 18.12.2025.

4. The respondent is present in person identified by his counsel and he also confirmed the same.

5. Learned counsel for the respondent would submit that the respondent has received a sum of Rs.2,00,000/- by cash today and that the balance amount of Rs.75,000/-, which has been deposited to the credit of C.C. No. 761 of 2014 may be permitted to be withdrawn by the respondent.

6. 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 set aside the conviction and sentence imposed on the petitioner by the trial Court.



Crl.R.C. No. 1644 of 2025

7. Accordingly, the conviction and Sentence imposed upon the petitioner vide judgment dated 09.01.2024 in C.C.No.761 of 2014 passed by the learned XIX Metropolitan Magistrate, Egmore @Allikulam, Chennai and confirmed by the judgment dated 24.01.2025 made in Crl.A.No.126 of 2024 passed by the learned XXI Additional Sessions Judge, City Civil Court, Allikulam, Chennai, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

8. The respondent is permitted to withdraw Rs.75,000/-/- [Rupees Seventy Five Thousand only] deposited to the credit of C.C. No. 761 of 2014 before the trial Court, with accrued interest, by filing appropriate application. Fine amount, if any, paid by the petitioner shall be refunded. Bail bond, if any, executed shall stand discharged.

28.01.2026

Neutra Citation: Yes/No

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To

1. XXI Additional Sessions Judge,
City Civil Court,
Allikulam, Chennai.
2. XIX Metropolitan Magistrate,
Egmore @Allikulam,
Chennai.



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Crl.R.C. No. 1644 of 2025

SUNDER MOHAN,J.

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Crl.R.C. No. 1644 of 2025

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