



CRL RC No. 478 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL RC No. 478 of 2022

and

CrI.M.P.No.4019 of 2026

P.Maheswaran
S/o Patturajan,
D.No.47/3, Street No.1,
Sattaiampudur,
Tiruchengode Taluk, Namakkal.

Petitioner(s)/Accused

Vs

C.Balamurugesan
S/o Chettiya Goundar,
33, Muniappan Koil Thottam,
Seetharamapalayam Post,
Tiruchengode Taluk,
Namakkal District.

Respondent(s)/Complainant

PRAYER: The Criminal Revision Petition filed under Sections 397 and 401 of Cr.P.C., praying to call for the records in C.A.No.2 of 2021 on the file of the Special Court for trial of Cases registered under SC/ST (POA) Act, Namakkal dated 16.02.2022 conforming the conviction and sentence of one year simple imprisonment and direction to pay compensation of Rs.7,70,000/- under Section 357(3) of Cr.P.C. r/w 138 of Negotiable Instruments Act, in default, to undergo



CRL RC No. 478 of 2022

one month simple imprisonment imposed by the judgment dated 10.12.2020 in S.T.C.No.124 of 2013 on the file of the Judicial Magistrate (Fast Track Court), Tiruchengode and set aside the same and acquit the accused.

For Petitioner : Mr.P.Rajendran
for Mr.T.A.Ebenezer
For Respondent : Mr.L.Mouli

ORDER

This Court, on 19.02.2026 and 23.02.2026 had passed the following orders:

“Proceedings dated 19.02.2026

The petitioner, who is sustaining two concurrent judgments of conviction, had preferred this appeal.

2.Today, there is no representation for the petitioner.

3.The learned counsel for the respondent submitted that in this case the cheque amount is Rs.7,70,000/- and an understanding was arrived between the parties and the respondent agreed to receive Rs.6,50,000/- and give a quietus to the issue. The petitioner, so far, deposited a sum of Rs.3,38,000/- to the credit of S.T.C.No.124 of 2013 before the trial Court and in addition thereto, paid a further sum of Rs.1,50,000/-. In total, the petitioner, so far paid a sum of Rs.4,88,000/- and the balance amount of Rs.1,62,000/- is yet to be paid. Despite several reminders, neither the petitioner nor his



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counsel are responding. Hence, appropriate steps to be taken to ensure the presence of the petitioner so that the understanding can be completed.

4.It is seen that at the time of admission, this Court, by order dated 20.04.2022, suspended the sentence of the petitioner and granted bail with certain conditions. One of the conditions is that petitioner to appear before the trial Court on the first working day of every month. It is represented that the petitioner is not complying with the condition. Further in this case, the petitioner is not appearing and prosecuting the case.

5.In view of the above, this Court directs the Inspector of Police, Tiruchengode Taluk, Namakkal District/jurisdictional police to ensure the presence of petitioner/Accused – P.Maheswaran, S/o.Patturajan, D.No.47/3, Street No.1, Sattaiampudur, Tiruchengode Taluk, Namakkal District, before this Court on 23.02.2026.

6.Post the case on 23.02.2026.

Proceedings dated 23.02.2026

Pursuant to the order passed by this Court on 19.02.2026, today, the jurisdictional police viz. Mr.Palanivel, Inspector of Police, Tiruchengode Taluk Police Station, ensured the presence of the petitioner P.Maheswaran.

2.The petitioner is present. The learned counsel for the petitioner tendered his apology for not being present on the earlier occasion. He now submits that the total cheque amount is Rs.7.70



WEB COPY

lakhs and the respondent / complainant agreed to receive Rs.6.50 lakhs and the petitioner so far paid 4.88 lakhs to the respondent and balance 1.62,000/- have also been paid on 22.02.2026 and seeking to allow the Revision.

3.The learned counsel for the respondent confirms the same, which is recorded in order dated 19.02.2026 paragraph No.3 which is extracted hereunder;

“3.The learned counsel for the respondent submitted that in this case the cheque amount is Rs.7,70,000/- and an understanding was arrived between the the parties and the respondent agreed to receive Rs.6,50,000/- and give a quietus to the issue. The petitioner, so far, deposited a sum of Rs.3,38,000/- to the credit of S.T.C.No.124 of 2013 before the trial Court and in addition thereto, paid a further sum of Rs.1,50,000/-. In total, the petitioner, so far paid a sum of Rs.4,48,000/- and the balance amount of Rs.1,62,000/- is yet to be paid. Despite several reminders, neither the petitioner nor his counsel is responding. Hence, appropriate steps to be taken to ensure the presence of the petitioner so that the understanding can be completed.”

4.He further submitted that pursuant to the police taking action to ensure the presence of the petitioner before this Court, on 22.02.2026 the amount of Rs.1,62,000/- has been paid to the



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respondent towards full and final settlement. The respondent is also now willing to compound the offence. He seeks short accommodation to file a petition u/s.142 petition.

5.This Court appreciates the efforts taken by the learned Public Prosecutor as well as Mr.Palanivel, SSI, D1, Police Station, Tiruchengode Town Police Station, and ensuring the presence of the petitioner before this court. Due to which, the petitioner has also paid a sum of Rs.1,62,000/- to the respondent and ensured that quietus is given to the matter.

6.Post the matter on 25.02.2026 under the caption “for orders”.

2.In continuation and conjunction with the earlier order passed by this Court on 19.02.2026 and 23.02.2026, today, both the learned counsel for the petitioner and respondent without going into their contentions on merits of the case submitted that the issue had been resolved between the petitioner and respondent. The petitioner already deposited a sum of Rs.1,54,000/- to the credit of S.T.C.No.124 of 2013 on 16.02.2021 and another sum of Rs.1,84,000/- to the credit of S.T.C. No.124 of 2013 on 10.06.2022. A scanned reproduction of the receipts read as follows:



CRL RC No. 478 of 2022

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Emp. No. 13/2021. in C.A. 2/2021 of PDS.
N.M. K. 24. 6.1.2021

FOIL

Form of receipt to be granted by the Court)

D 4637322

IN THE COURT OF THE

Received this 16th day of February 2021

from Maheswaran S/o Patturaj
of Teerth Colony, Sonarapalayam the sum of
Rs. 1,54,000 being the whole of the fine compensation
part the accused in
directed to be paid by the complaining

STC No. 124/2013 on the file of this Court

Rs. 1,54,000/- JUDICIAL MAGISTRATE
Magistrate/Judge
ETC (MAGISTERIAL LEVEL)
72/2013. Cri.Misc.90-40.000-Bks. -GBP INDIENCODE

Crl. MP No 4966/22 Re. No. 478/22

Hon'ble Mag Court, Madras

30% Compensation
Rs. 1,84,000/-

Form of receipt to be granted by the Court)

D 4637217

IN THE COURT OF THE

Received this 16th day of June 2022

from Maheswaran S/o Patturaj
of Fast Track Court, Tiruvel
the sum of
Rs. 1,84,000/- being the whole of the fine compensation
part the accused in
directed to be paid by the complaining

STC No. 124/2013 on the file of this Court

Rs. 1,84,000/- JUDICIAL MAGISTRATE
Magistrate/Judge
ETC (MAGISTERIAL LEVEL)
72/2013. Cri.Misc.90-40.000-Bks. -GBP INDIENCODE



CRL RC No. 478 of 2022

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3. Thereafter, on 03.01.2026, the petitioner deposited a sum of Rs.1,50,000/- to the bank account of the respondent. Thereafter by transfer through G-pay, paid a sum of Rs.10,000/-, R.40,000/-, Rs.50,000/- and Rs.62,000/- on 22.02.2026 (in total Rs.1,62,000/-). Thus, the agreed amount of Rs.6,50,000/- paid.

4. Today, the petitioner/accused and the respondent/complainant present in person and confirm the compromise arrived at between them. In support of the same, both the learned counsel for petitioner and respondent filed a Petition under Section 147 of the Negotiable Instruments Act, 1881 in CrI.M.P.No.4019 of 2026 for compounding the offence along with Joint Compromise Memo dated 23.02.2026 and the petition is ordered.

5. The terms of Joint Compromise Memo dated 23.02.2026 signed by both the parties are extracted hereunder:

“I, P. Maheswaran, S/o Patturajan, residing at D. No. 47/3, Street No.1, Sattaiampudurm, Tiruchengode Taluk, Namakkal District now, temporarily come down to Chennai and solemnly affirms and state as follows:



1. I humbly submit that I am the petitioner herein and I have filed above criminal revision petition and as such I am well acquainted with the facts and circumstances of the case.

2. I humbly submit that the Memorandum of Grounds filed along with this Criminal Revision Petition may read as part and parcel of this petition.

3. I humbly submit that I was convicted in S.T.C. No. 124/2013 on the file of the Judicial Magistrate (Fast Track Court) Tiruchengode for the offence under section 138 of Negotiable Instruments Act and sentenced to one year SI and direction to pay compensation of Rs.7,70,000/- under section 357(3) of Cr.P.C r/w 138 of Negotiable Instruments Act, in default to undergo one month SI imposed by the judgment dated 10.12.2020. I filed an appeal before the Sessions Judge, Namakkal. In the appeal the sentence imposed by the trial court was conformed in C.A.No.2 of 2021 on the file of the Special Court for Trial of Case registered under SC/ST (POA) Act, Namakkal dated 16.02.2022.

4. I humbly submit that I have preferred this Criminal Revision Petition as against the judgment passed in C.A.No.2 of 2021 dated 16.02.2022, Special Court for Trial of Case registered under SC/ST (POA) Act, Namakkal, in so far as confirming the sentence of RI for one year, imposed by the Judicial Magistrate (Fast Track Court) Tiruchengode in S.T.C.No. 124 of 2013 dated 10.12.2020.



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5. I further humbly submit that the petitioner and the respondent herein are the friends and therefore, negotiation was taking place in a slow manner and the respondent herein not interested in arrest of the petitioner herein and the respondent herein (Complainant) and the appellant herein (Accused) had arrived at a settlement, whereby the respondent agreed to receive Rs.6,50,000/- to give a quietus to the issue. The petitioner/ Appellant herein already deposited a sum of Rs.3,38,000/- to the credit of S.T.C No. 124 of 2013 before the trial Court. The Petitioner/ Appellant on 03.01.2026 had deposited Rs.1,50,000/- to the bank account of the respondent. The petitioner/ Appellant further on 22.02.2026 had paid Rs.1,62,000/- to the respondent by way of G-pay Payments. The above payments were received and acknowledged by the Respondent herein and I have no objection for the respondent to withdraw a sum of Rs.3,38,000/- deposited to the credit of S.T.C No. 124 of 2013 on the file of the Judicial Magistrate (Fast Track Court) Tiruchengode.

6. I further humbly submit that mutual settlement was arrived between the petitioner and the respondent herein and the amount of Rs.3,12,000/- out of Rs. 6,50,000/- has been received towards full and final settlement. Both the Petitioner and the respondent are willing to compounding the offence under section 147 of Negotiable Instrument Act.

7. I further humbly submit that unless and otherwise, this Hon'ble court compound the offence against the petitioner herein, I would be put to irreparable loss, injury and mental pain.



CRL RC No. 478 of 2022

WEB COPY

In view of the aforesaid reasons, I humbly pray that this Hon'ble Court may be pleased to compound the offence against the petitioner/accused herein in Crl.RC.No.478 of 2022 preferred as against the judgment passed in C.A.No. 2 of 2021 on the file of the Special Court for Trial of Case registered under SC/ST (POA) Act, Namakkal dated 16.02.2022, in so far as confirming the sentence imposed by the Judicial Magistrate (Fast Track Court) Tiruchengode in S.T.C.No.124 of 2013 dated 10.12.2020 and acquit the Petitioner/Accused and pass such further or other orders as this Hon'ble Court may deem fit and necessary in the circumstances of the case and thus render justice."

6.Since the entire agreed amount has been paid and a 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 S.T.C.No.124 of 2013 is compounded.

7.In view of the same, the Joint Compromise Memo dated 23.02.2026 is taken on file. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 23.02.2026. The conviction and sentence imposed on the petitioner vide judgment dated 16.02.2022 made in Crl.A.No.2 of 2021 on the file of Sessions Judge, Special Court for trial of Cases registered under



CRL RC No. 478 of 2022

SC/ST (POA) Act, Namakkal, confirming the judgment dated 10.12.2020 made in S.T.C.No.124 of 2013 on the file of the Judicial Magistrate, Fast Track Court (Magisterial Level), Tiruchengode, is set aside and the revision petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

8.The petitioner/accused already deposited a sum of Rs.3,38,000/- to the credit of S.T.C.No.124 of 2013 on the file of Judicial Magistrate, Fast Track Court (Magisterial Level), Tiruchengode. The petitioner/accused has no objection for the respondent to withdraw the said amount. In view of the compounding of the offence, the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Tiruchengode is directed to return the amount of Rs.3,38,000/- lying in the credit of S.T.C.No.124 of 2013 along with accrued interest, if any, to the respondent/complainant dispensing notice to the petitioner/accused, after filing appropriate petition/Memo by the respondent/complainant.

25.02.2026

Index : Yes / No
Neutral citation : Yes / No
Internet : Yes/No
Speaking / Non-speaking order
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CRL RC No. 478 of 2022

M. NIRMAL KUMAR, J.

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To

1. The Sessions Judge,
Special Court for trial of Cases registered
under SC/ST (POA) Act, Namakkal.
2. The Judicial Magistrate,
Fast Track Court (Magisterial Level),
Tiruchengode.

CRL RC No. 478 of 2022

25.02.2026