



WEB COPY



Crl.RC.No.42 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.RC.No.42 of 2021

P.Murugan

... Petitioner

Vs.

K.Sunil Kumar Jain

... Respondent

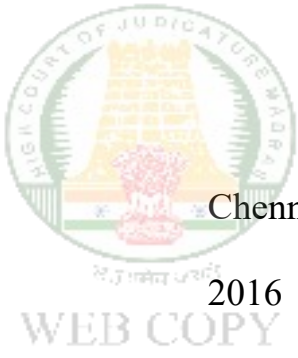
Prayer: Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records and quash the order of conviction and sentence dated 18.12.2018 made in Crl.A.No.466 of 2018 before the XVII Additional City Civil Court, Chennai confirming the order dated 14.08.2018 in CC.No.110 of 2016 before the Metropolitan Magistrate Court, Fast Track Court-IV, George Town, Chennai.

For Petitioner : Mr.K.B.Rohith
for Mr.D.Baskar

For Respondent : Mr.M.Abdul Wafiq
for M/s.Pass Associates

ORDER

This criminal revision case has been filed praying to quash the order of conviction and sentence dated 18.12.2018 made in Crl.A.No.466 of 2018 before the XVII Additional City Civil Court,



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Chennai confirming the order dated 14.08.2018 made in CC.No.110 of 2016 before the Metropolitan Magistrate Court, Fast Track Court-IV, George Town, Chennai.

2. The petitioner is the accused in the complaint lodged by the respondent for the offences punishable under Section 138 of NI Act on the allegation that they entered into a hire purchase agreement in respect of a vehicle for a sum of Rs.4,90,000/-. Thereafter, the accused made part payment of Rs.2,39,500/- Thereafter he failed to make any payment. After repeated demands, the accused issued a cheque for a sum of Rs.4,60,000/-, which was presented for collection. However, it was returned dishonoured for the reason 'funds insufficient', pursuant to which the complainant sent legal notice demanding repayment, but the accused did not respond. Hence, the respondent lodged complaint.

3. On perusal of oral and documentary evidences, the trial court found the petitioner guilty for the offence punishable under Section 138 of NI Act and sentenced him to undergo ten months simple imprisonment and to pay compensation of Rs.4,60,000/-, in default of which to undergo further period of two months simple imprisonment. Aggrieved by the same, the accused preferred appeal and the same was also dismissed



confirming the order of conviction and sentence imposed by the trial court. Hence, the present revision case has been filed.

4. Now, the learned counsel for the petitioner would submit that while pending this criminal revision case, the entire cheque amount was paid by the petitioner and the same was duly acknowledged by the respondent.

5. In response, the learned counsel for the respondent submitted that the respondent has no objection to set aside the impugned judgments.

6. In view of the above submissions, the order of conviction and sentence dated 18.12.2018 made in Crl.A.No.466 of 2018 before the XVII Additional City Civil Court, Chennai and the order dated 14.08.2018 made in CC.No.110 of 2016 before the Metropolitan Magistrate Court, Fast Track Court-IV, George Town, Chennai, are set aside and this criminal revision case stands allowed.

18.03.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The XVII Additional City Civil Court, Chennai
- 2.The Metropolitan Magistrate Court, Fast Track Court-IV, George Town, Chennai.

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