



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL RC No. 503 of 2021

K.Krishnan

Petitioner(s)

Vs

S.Gnanavel

Respondent(s)

PRAYER: Criminal Revision Case filed under Section 397 r/w 401 of Cr.P.C., to call for the records and set aside the judgment dated 10.02.2021 passed in C.A.No.80 of 2019 on the file of the learned III Additional Sessions Judge, Villupuram at Kallakurichi by confirming the judgement dated 07.11.2019 passed in C.C.No.42 of 2017 by the learned Judicial Magistrate (Fast Track), Kallakurichi.

For Petitioner(s): Mr.S.Senthil Kumar
for Mr.M.Krishnaveni

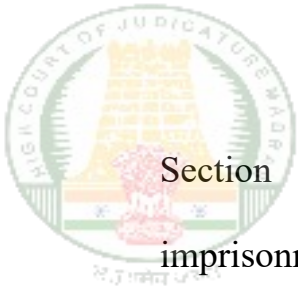
For Respondent(s): Mr.M.Vijaya Ragavan

**ORDER**

WEB COPY This Criminal Revision Case has been filed against the judgment dated 10.02.2021 passed in C.A.No.80 of 2019 on the file of the learned III Additional Sessions Judge, Villupuram, Kallakurichi, thereby confirming the judgment dated 07.11.2019 passed in C.C.No.42 of 2017 by the learned Judicial Magistrate (Fast Track), Kallakurichi.

2. The petitioner is an accused in the complaint lodged by the respondent before the learned Judicial Magistrate (Fast Track Court), Kallakurichi, for the alleged offence under Section 138 of Negotiable Instruments Act, alleging that on 09.09.2016, the petitioner had borrowed a sum of Rs.7,00,000/- from the respondent for the purpose of his family expenses. In order to repay the same the petitioner had issued a cheque bearing No.662559, dated 12.10.2016 in favour of the respondent. The said cheque was presented for collection and the same was returned with an endorsement “Funds Insufficient on the account of the accused”. Thereafter, on 10.11.2016, the respondent issued a legal notice to the petitioner. As there was no reply from the petitioner, the respondent has filed the complaint.

3. After a full fledged trial, the trial Court convicted the petitioner under



Section 138 of the Act and sentence him to undergo one year simple imprisonment and to pay a sum of Rs.7,00,000/- in default further simple imprisonment for three months, vide judgment dated 07.11.2019. Further, the learned Judicial Magistrate ordered that the fine amount be paid to the respondent as a compensation. Aggrieved over the same, the petitioner had preferred a criminal appeal before the Appellate Court viz., III Additional Sessions Judge, Villupuram at Kallakurichi in C.A.No.80 of 2019. The Appellate Court had dismissed the said criminal appeal vide judgment dated 10.02.2021, confirming the judgment passed by the trial Court in C.C.No.42 of 2017 dated 07.11.2019. Challenging the same, the petitioner has filed the present criminal revision case.

4. It is submitted by the learned counsel for the petitioner that, pending the criminal revision case, the matter was referred to the regular Lok Adalat for amicable settlement. Accordingly, the matter was settled before the Lok Adalat, by paying the entire amount to the respondent.

5. The learned counsel for the respondent has also acknowledged the receipt of the entire payment of Rs.7,00,000/- (Rupees Seven Lakhs Only) from the petitioner.



6. Heard both sides and perused the entire materials available on record.

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7. In view of the above submission made by the learned counsel on either side and taking into consideration the fact that the petitioner has paid the entire amount of Rs.7,00,000/- (Rupees Seven Lakhs Only) to the respondent, this Court is inclined to set aside the judgment dated 10.02.2021 passed in C.A.No.80 of 2019 on the file of the learned III Additional Sessions Judge, Villupuram, Kallakurichi, as well as the judgment dated 07.11.2019 passed in C.C.No.42 of 2017 by the learned Judicial Magistrate (Fast Track), Kallakurichi.

8. With the aforesaid terms, this Criminal Revision Case is allowed.

04-03-2026

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

To

1. III Additional Sessions Judge, Villupuram.
2. The Judicial Magistrate (Fast Track), Kallakurichi.



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G.K.ILANTHIRAIYAN J.
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