



*Crl.R.C. No. 1171 of 2023*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

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&

Crl.M.P. No. 9141 of 2023

M. Rajasekar  
S/o. Muthusamy,  
Kothur, Kothur Post,  
ParamathiVelur Taluk,  
Namakkal District.

..Petitioner

Vs.

K. Velusamy  
S/o. Kalianna Gounder,  
Managing Partner,  
NPA Food and Feeds,  
D.No. 142 – E Salem Road,  
Namakkal Town,  
Now residing at 1/442/1, AyyanarValagam,  
Mudalaipatti bypass Road,  
Mudalaipatti Post, Namakkal Town,  
Namakkal Taluk & District.

..Respondent

Prayer: Criminal Revision filed under Section 397 r/w 401 Cr.P.C. to set aside the judgment dated 06.04.2023 made in C.A. No. 92 of 2021 by the



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learned District and Sessions Judge, Special Court for trial registered under SC/ST (POA) Act, Namakkal confirming the conviction imposed by judgment dated 06.03.2020 made in C.C. No. 352 of 2017 by the learned Judicial Magistrate No.1, Namakkal.

For Petitioner        ::        Mr.T. Gopinathan

For Respondent        ::        Mr.S. Senthil

### O R D E R

The revision challenges the judgment dated 06.04.2023 passed in C.A. No. 92 of 2021 by the learned District and Sessions Judge, Special Court for trial registered under SC/ST (POA) Act, Namakkal, confirming the judgment dated 06.03.2020 passed in C.C. No. 352 of 2017 by which the learned Judicial Magistrate No.1, Namakkal, had convicted the petitioner for the offence under Section 138 of Negotiable Instruments Act and sentenced him to undergo simple imprisonment for a period of six months and to pay compensation of Rs.50,000/- to the respondent.

2.     Learned counsel for the petitioner would submit that the parties have since arrived at a compromise by which the respondent had agreed to



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receive Rs.50,000/- in full and final settlement of all his claims against the petitioner.

3. Parties have filed a Joint Memo of Compromise dated 02.01.2026. The petitioner is present. Though the respondent is not present in person, he had appeared through videoconferencing on the previous occasion and confirmed the compromise.

4. It is reported that the petitioner has deposited a sum of Rs.50,000/- to the credit of C.C. No. 352 of 2017 and the learned counsel for the respondent submitted that the respondent may be permitted to withdraw the same.

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 02.01.2026 and set aside the conviction and sentence imposed on the petitioner by the trial Court.



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6. Accordingly, the Joint Compromise Memo dated 02.01.2026 is taken on file. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 02.01.2026. The conviction and Sentence imposed on the petitioner vide judgment dated 06.03.2020 in C.C. No. 352 of 2017 passed by the learned Judicial Magistrate No.1, Namakkal and confirmed by judgment dated 06.04.2023 in Crl.A.No.92 of 2021 passed by the learned District and Sessions Judge, Special Court for Trial registered under SC/ST (POA) Act, Namakkal, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

7. The respondent is permitted to withdraw Rs.50,000/-/- [Rupees Fifty Thousand only] deposited 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. Connected miscellaneous petition is closed.

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05.01.2026

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1. The District and Sessions Judge,  
Special Court for Trial Registered  
under SC/ST (POA) Act, Namakkal.
2. The Judicial Magistrate No.1,  
Namakkal.
3. K. Velusamy  
S/o. Kalianna Gounder,  
Managing Partner,  
NPA Food and Feeds,  
D.No. 142 – E Salem Road,  
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**SUNDER MOHAN,J.**

nv

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