



Crl.R.C. No. 1396 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C. No. 1396 of 2025

Mr.S. Malar Selvam
S/o. Mr.P. Sampath,
No.12, Lake Area, 3rd Cross Street,
Nungambakkam,
Chennai – 600 034.

..Petitioner

Vs.

Mr.D. Sudhakar,
S/o. Late V.S. Devadoss,
New No.18, Old No.85, Millers Road,
Kilpauk, Chennai – 600 010.

..Respondent

Prayer: Criminal Revision filed under Section 438 r/w 442 BNSS to call for the records and to set aside the judgment dated 28.04.2025 passed in Crl.A. No. 344 of 2023 by the learned I Additional Sessions Judge, City Civil Court, Chennai confirming the judgment dated 16.05.2023 passed in



Crl.R.C. No. 1396 of 2025

S.T.C. No. 7235 of 2022 by the learned Metropolitan Magistrate, Fast Track

Court No.I, Egmore @ Allikulam, Chennai.

For Petitioner :: Mr.S.N. Thangaraj

For Respondent :: Mr.P. Sivamani

O R D E R

The revision challenges the judgment dated 28.04.2025 passed in Crl.A. No. 344 of 2023 by the learned I Additional Sessions Judge, City Civil Court, Chennai confirming the judgment dated 16.05.2023 passed in S.T.C. No. 7235 of 2022 by the learned Metropolitan Magistrate, Fast Track Court No.I, Egmore @ Allikulam, Chennai by which the petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of one year and to pay the cheque amount as compensation and in default, to undergo simple imprisonment for 3 months.

2. During the pendency of the revision, the parties were referred to mediation pursuant to which parties have entered into a settlement



Crl.R.C. No. 1396 of 2025

agreement dated 19.12.2025 by which the respondent had agreed to receive a sum of Rs.25 lakhs in full and final settlement of his claims. The petitioner has deposited a sum of Rs.5 lakhs to the credit of Crl.A. No. 344 of 2023 on the file of V Additional City Civil Court, Chennai and a sum of Rs.20,00,000/- to the credit of S.T.C. No. 7235 of 2022 on the file of Metropolitan Magistrate, Fast Track Court No.I, Egmore, @ Allikulam, Chennai.

3. In view of the settlement arrived at and since the offence under Section 138 of the Negotiable Instruments Act, is compoundable, this Court is inclined to accept the Settlement Agreement dated 19.12.2025 and set aside the conviction and sentence imposed on the petitioner by the trial Court.

4. Accordingly, the Settlement Agreement dated 19.12.2025 is taken on file and it shall form part and parcel of the order. The Criminal Revision Case is allowed in terms of the Settlement Agreement dated 19.12.2025. The conviction and sentence imposed on the petitioner vide judgment dated 16.05.2023 passed in S.T.C. No. 7235 of 2022 by the learned Metropolitan



Crl.R.C. No. 1396 of 2025

Magistrate, Fast Track Court No.I, Egmore @ Allikulam, Chennai confirmed by judgment dated 28.04.2025 passed in Crl.A. No. 344 of 2023 by the learned I Additional Sessions Judge, City Civil Court, Chennai, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

5. In view of the settlement arrived at between the parties, the respondent is permitted to withdraw the sum of Rs.5,00,000/- (Rupees Five Lakhs only) deposited to the credit of Crl.A. No. 344 of 2023 on the file of V Additional City Civil Court, Chennai and the sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) deposited to the credit of S.T.C. No. 7235 of 2022 on the file of Metropolitan Magistrate, Fast Track Court I, Egmore @ Allikulam, Chennai 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.

05.01.2026

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Crl.R.C. No. 1396 of 2025

To

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1. The I Addl. Sessions Judge,
Court of V Additional Sessions,
City Civil Court, Chennai.
2. The Metropolitan Magistrate,
Fast Track Court No.1,
Egmore @ Allikulam, Chennai.



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Crl.R.C. No. 1396 of 2025

SUNDER MOHAN,J.

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Crl.R.C. No. 1396 of 2025

05.01.2026