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CrI.R.C.No.1469 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.R.C.No.1469 of 2025

1.M/s.Dr.Radhakrishnan Academy
Rep.by R.Suresh
No.4, 2nd Floor, BalammanKoil Street
Villivakkam, Chennai 600 049.

2. R.Suresh,
S/o. P. Ramamurthy,
No. 19/20, Sannathi Street,
Villivakkam, Chennai – 600 049,
Office Address
No.4, 2nd Floor,
Balamman Koil Street,
Villivakkam, Chennai – 600 049.

...Petitioners

Vs.

S.Murugan
S/o. Mr.G. Selvarajan,
No.52, L-Block, 24th Street,
Annanagar, Chennai 600 102.

...Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS,
to call for records and to set aside the Judgment dated 02.08.2025 in

1/4



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Crl.A.No.862 of 2024 passed by the learned V Additional Sessions Judge, City Civil Court, Chennai, confirming the judgment dated 18.10.2024 passed by the learned XXV Metropolitan Magistrate, Egmore, Chennai in C.C.No.4387 of 2020.

For Petitioners : Mr.M.Karthikeyan

For Respondent : Mr.Prakash Goklaney

ORDER

The revision challenges the judgment dated 02.08.2025 passed in Crl.A. No. 862 of 2024 by the learned V Additional Sessions Judge, City Civil Court, Chennai confirming the conviction and sentence imposed on the petitioners by the learned Magistrate by judgment dated 18.10.2024 in C.C. No. 4387 of 2020 for the offence under Section 138 of Negotiable Instruments Act. The 2nd petitioner was sentenced to undergo simple imprisonment for 4 months and to pay compensation of Rs. 2,95,000/- carrying a default sentence of simple imprisonment for one month for the said offence.

2. Pending the revision, the parties have entered into a compromise. The 2nd petitioner is present in person. The learned counsel for the respondent would submit that the respondent had agreed to receive a sum of Rs.1,45,000/- in full and final settlement of all his claims against the petitioners; that he had



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received a sum of Rs.30,000/- by cash; a sum of Rs.56,000/- by way of Demand

Draft dated 16.09.2025 and that the remaining sum of Rs.59,000/- has been deposited to the credit of C.C. No. 4387 of 2020 on the file of XXV Metropolitan Magistrate, Egmore, Chennai by the petitioners and that he may be permitted to withdraw the same.

3.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 Memo of Compromise dated 05.02.2026 and set aside the conviction and sentence imposed on the petitioners by the trial Court.

4. Accordingly, the Joint Memo of Compromise dated 05.02.2026 is taken on file. The Criminal Revision Case is allowed in terms of the Joint Memo of Compromise dated 05.02.2026. The conviction and sentence imposed on the 2nd petitioner vide judgment dated 18.10.2024 in C.C. No. 4387 of 2020 by the learned XXV Metropolitan Magistrate, Egmore, Chennai and confirmed by judgment dated 02.08.2025 in Crl.A. No. 862 of 2024 by the learned V Additional Sessions Judge, City Civil Court, Chennai are set aside and the 2nd petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.



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5. The respondent is permitted to withdraw Rs.59,000/-/- [Rupees Fifty Nine Thousand only] deposited to the credit of C.C. No. 4387 of 2020 before the trial Court, with accrued interest, by filing appropriate application. Fine amount, if any, paid by the 2nd petitioner shall be refunded. Bail bond, if any, executed by him shall stand discharged.

05.02.2026

Index : Yes/No
Speaking order : Yes/No
Neutral Citation : Yes/No
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To

- 1.The V Additional Sessions Judge,
City Civil Court, Chennai.
- 2.The XXV Metropolitan Magistrate,
Egmore, Chennai.

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