



WEB COPY

CRL RC No.2066 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No.2066 of 2024

D.Kumar
S/o.Devaraj,
Amman Nagar,
S.Pallipattu Village,
Adhiyur Post,
Tirupathur Town,
Tirupathur District.

...Petitioner

Vs

G.Sankar
S/o.Govindaraj,
S.Pallipattu Village,
Adhiyur Post,
Tirupathur Town,
Tirupathur District.

...Respondent

Prayer : Criminal Revision Petition filed under Section 438 r/w 442 of BNSS to set aside the Judgment passed by the learned Principal District and Sessions Judge, Tirupathur in C.A.No.76 of 2022 and dated 21.08.2024 as confined by the Judgment passed by the Learned Judicial Magistrate No.1, Tirupathur in STC No.583 of 2019 dated 21.04.2022.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.E.Kannadasan



ORDER

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsels on either side submitted that as per the compromise, the petitioner/appellant/accused had paid the entire sum of Rs.5,90,000/- (Rupees Five Lakhs Ninety Thousand Only) to the respondent; and that the amount deposited by the petitioner to the credit of S.T.C No.583 of 2019 has to be withdrawn by the petitioner.

3. Considering the submissions made by the learned counsels on either side, the Registry is directed to issue an order copy afresh forthwith by correcting paragraph No. 5 of the order as follows:

*5. The **petitioner/accused** is permitted to withdraw Rs.2,95,000/- [Rupees Two Lakhs and Ninety Five Thousand only] deposited to the credit of S.T.C. No.583 of 2019 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.*

13-03-2026

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SUNDER MOHAN, J.

dk

CRL RC No.2066 of 2024

13-03-2026



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CRL RC No.2066 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2066 of 2024

D.Kumar

...Petitioner

Vs.

G.Sankar

...Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS., to set aside the Judgment dated 21.08.2024 passed by the learned Principal District and Sessions Judge, Tirupathur, in C.A.No.76 of 2022 confirming the Judgment dated 21.04.2022 passed by the learned Judicial Magistrate No.I, Tirupathur, in S.T.C.No.583 of 2019.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.E.Kannadasan



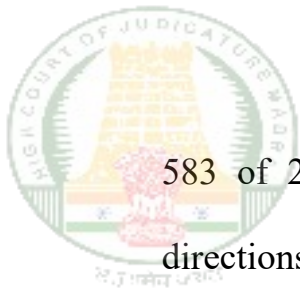
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ORDER

The revision challenges the judgment dated 21.08.2024 passed in Criminal Appeal No. 76 of 2022 by the learned Principal District and Sessions Judge, Tirupathur confirming the conviction and sentence imposed on the petitioner for the offence under Section 138 of the Negotiable Instruments Act by judgment dated 21.04.2022 in S.T.C. No. 583 of 2019 by the learned Judicial Magistrate No.1, Tirupathur. The petitioner was sentenced to undergo simple imprisonment for one year and to pay compensation of Rs.6,00,000/- carrying a default sentence of simple imprisonment for four months for the aforesaid offence.

2. Pending the revision, the parties were referred to mediation and the during the mediation, the parties have entered into a Settlement Agreement by which the respondent had agreed to receive a sum of Rs. 5,90,000/- (Rupees Five Lakhs and Ninety Thousand only) in full and final settlement of all his claims against the petitioner and the petitioner had paid Rs.2,95,000/- (Rupees Two Lakhs Ninety Five Thousand only), which is admitted by the respondent. The petitioner had already deposited Rs.2,95,000/- to the credit of S.T.C. No.



583 of 2019 on the file of Judicial Magistrate No.1 Tirupattur as per the directions of this Court.

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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 Settlement Agreement dated 15.12.2025 and set aside the conviction and sentence imposed on the petitioner by the trial Court.

4. Accordingly, the Settlement Agreement dated 15.12.2025 is taken on file. The Criminal Revision Case is allowed in terms of the Settlement Agreement dated 15.12.2025. The conviction and Sentence imposed on the petitioner vide judgment dated 21.04.2022 in S.T.C. No. 583 of 2019 passed by the learned Judicial Magistrate No.1, Tirupattur and confirmed by judgment dated 21.08.2024 passed in Crl.A. No. 76 of 2022 by the learned Principal District and Sessions Judge, Tirupathur, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.



SUNDER MOHAN.J.,

5. The respondent is permitted to withdraw Rs.2,95,000/- [Rupees Two Lakhs and Ninety Five Thousand only] deposited to the credit of S.T.C. No.583 of 2019 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.

09.02.2026

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

To

- 1.The Principal District and Session Court,
Tirupathur.
- 2.The Judicial Magistrate No.I, Tirupathur.

Crl.R.C.No.2066 of 2024