



WEB COPY

CRL RC No. 142 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**CRL RC No. 142 of 2026
and Crl.M.P.No.852 of 2026**

Banumathi Balaji
W/o.Balaji, No. 10D,
May Flower Eden Valley, NSR Road,
Sai Baba Colony,
Coimbatore - 641 011.

...Petitioner(s)

Vs

S.Senthil kumar
S/o.S.Shanmugam,
No. 590B, SVK Lane,
Thomas Road, Coimbatore - 641 001.

... Respondent(s)

PRAYER: Criminal Revision Case filed under Section 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 12.08.2025 made in Crl.A.No.148 of 2021 on the file of the V-Additional District and Session Judge at Coimbatore, confirming the conviction dated 04.03.2021 in C.C.No. 1190 of 2017 on the file of the Judicial Magistrate, Fast Track Court No.II, Coimbatore and consequently acquit the petitioner.

For Petitioner(s): Mr. A.Parthasarathy

For Respondent(s): Ms.S.Abhinaya Shree

ORDER

This revision challenges the judgment of conviction and sentence imposed on the petitioner passed by the learned V-Additional District and Sessions Judge, Coimbatore in Crl.A.No.148 of 2021 dated 12.08.2025 confirming the judgment dated 04.03.2021 passed by the learned Judicial



Magistrate, Fast Track Court No.II, Coimbatore, in C.C.No.1190 of 2017 dated 04.03.2021, convicting the petitioner for the offence under section 138 of the Negotiable Instruments Act, 1881 and sentencing her to undergo six months simple imprisonment and pay a compensation of Rs.7,00,000/- and in default, to suffer three months simple imprisonment.

2. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.7,00,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned stating 'funds insufficient'; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

3. During the pendency of the revision, the parties had entered into a compromise and filed a joint compromise memo. As per the said compromise, the respondent has agreed to receive the cheque amount in full and final settlement of all his claims. The petitioner has admittedly paid a sum of Rs.5,60,000/- to the respondent. The petitioner has also deposited a sum of Rs.1,40,000/- before the Court in C.C.No.1190 of 2017 on the file of the Judicial Magistrate, Fast Track Court No.II, Coimbatore.

4. The parties were identified by their respective counsels and confirmed



the compromise.

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5. In view of the above 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 13.09.2025, and set aside the conviction and sentence imposed on the petitioner by the trial Court.

6. Accordingly, the Joint Compromise Memo dated 13.09.2025 is taken on record. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 13.09.2025. The conviction and Sentence imposed upon the petitioner vide judgment dated 04.03.2021 made in C.C.No.1190 of 2017, by the learned Judicial Magistrate, Fast Track Court No.II, Coimbatore and confirmed by the judgment dated 12.08.2025 made in Crl.A.No.148 of 2021 passed by the learned V Additional District and Sessions Judge, Coimbatore, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act. Fine amount, if any, paid by the petitioner shall be refunded. Bail bond, if any, executed shall stand discharged. The respondent is permitted to withdraw the deposited amount along with accrued interest, if any. Consequently, Crl.M.P.No.852 of 2026 is closed.

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

To

1. The V-Additional District and Session Judge, Coimbatore.
2. The Judicial Magistrate,
Fast Track Court No.II, Coimbatore



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SUNDER MOHAN J.

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