



WEB COPY

CRL RC No. 179 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL RC No. 179 of 2025

D.J.Merly Devadoss, S/o.Johnson Selvakumar,
No.10, M.K.Gandhi Street, Redhills,
Chennai-600 052.

..Petitioner(s)

Vs

P.T.Joseph, S/o.Devaikiyam,
No.39/18, Thiru.Vi.Ka.Street,
Otteri, Chennai-600 012.

..Respondent(s)

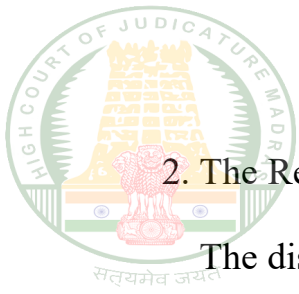
Prayer:- To call for the records relating to order passed in C.A.No.140/2024 dated 06.12.2024 on the file of the XVI Additional Sessions Judge, Chennai, confirming the order passed by the Metropolitan Magistrate Fast Track Court No.2, Allikulam, Chennai in CC No.7144/2019 dated 01.02.2024 and set aside the same.

For Petitioner(s): Mr.D.RAJENDRAN

For Respondent(s): Mr.S.Santhanam

ORDER

1. This Criminal Revision Case is filed to call for the records relating to order passed in C.A.No.140/2024 dated 06.12.2024 on the file of the XVI Additional Sessions Judge, Chennai, confirming the order passed by the Metropolitan Magistrate Fast Track Court No.2, Allikulam, Chennai in CC.No.7144/2019 dated 01.02.2024 and to set aside the same.



2. The Respondent is the complainant and the Petitioner is the borrower/ accused.

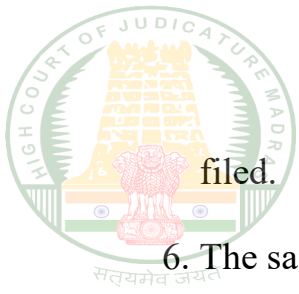
The dispute is in respect of dishonour of a cheque for a sum of Rs.5,00,000/-.

By the impugned judgement of the Trial Court, the Petitioner was convicted and sentenced for the offence under Section 138 of the Negotiable Instruments Act to undergo six months Simple Imprisonment and to pay a compensation of Rs.5,00,000/-, by the Trial Court and the said judgement of the Trial Court was also confirmed by the lower appellate court, by its impugned judgement. Hence, this Criminal Revision Case has been filed, by the borrower.

3. This Court heard Mr.D.Rajendran, the learned counsel for the Petitioner and Mr.S.Santhanam, the learned counsel for the Respondent and considered their submissions and also perused the entire materials placed on record.

4. The learned counsel for the parties have submitted that the matter has been settled amicably between the parties before the Tamil Nadu Mediation and Conciliation Centre on 09.12.2025. and to that effect, the parties have also entered into a Memorandum of Understanding, dated 09.12.2025.

5. On perusal of the records, this Court finds that pursuant to the order of this Court, dated 12.11.2025, the matter was referred to the Tamil Nadu Mediation and Conciliation Centre, Chennai. After completion of mediation proceedings, a mediation report, dated 09.12.2025 is filed by the said Mediation Centre, stating that **“Mediation completed. Agreement Enclosed”** and along with the said mediation report, a Memorandum of Understanding, dated 09.12.2025 entered into between the parties is also



6. The said Memorandum of Understanding, dated 09.12.2025 reads as under:-

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“MEMORANDUM OF UNDERSTANDING

“This Memorandum of Understanding is executed at Chennai on this 9th day of December 2025 between P.D. Joseph, Son of Devairakkam, Christian aged about 65 years, residing at number 39/18, Thiru.Vi.Ka Nagar Street, Otteri, Chennai 600012, herein after called as the party of First part, D.J.Merly Devadoss, Son of Johnson Selvakumar, Christian aged about 36 years, residing at No.10,M.K Gandhi street, Redhills, Chennai 600052 herein after called as the party of Second part,

Whereas the party of first part filed case under section 138 of Negotiable Instrument Act in C.C. No.7144 of 2019 on the file of FTC-II Metropolitan Magistrate Court, Allikulam as against the party of Second part for the dishonour of cheque bearing no. 023042 dated 16.03.2019 drawn on ICICI Bank Perungudi Branch for a sum of Rs.5,00,000/-(Rupees Five Lakhs Only) C.C.No. 7144 of 2019 was awarded by the of FTC-II Metropolitan Magistrate Court, Allikulam by convicting the party of second part to undergo Six month along with compensation of Rs.5,00,000/-(Rupees Five Lakhs Only) payable to the party of first part.

Whereas the party of second part filed an appeal in C.A.No.140 of 2024 on the file of XVI Additional Sessions Judge, Chennai the same was also ended in favour of the party of first part by confirming the order of the trial court.

Whereas the party of second part filed criminal revision before Honourable High Court of Judicature at Madras in Crl.Rc.No.179 of 2025 challenging the order of appellate court and trial court at the time of admission the party of second part consented compromise settling the cheque amount the party of first part also agreed for mediation accordingly it was referred for mediation by the Honourable High Court of Judicature at Madras. It was agreed by the parties to settle issue amicably on the following terms and conditions,

(i) The party of second part deposited a sum of Rs.3,00,000/-(Rupees Three Lakhs Only) on the credit of C.C. No.7154 of 2019 FTC-II



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Metropolitan Magistrate Court, Allikulam. The party of second part agreed that there is no necessity to serve notice in the payment out petition filed by the party of first part for a amount of Rs. Rs.3,00,000/- (Rupees Three Lakhs Only on the credit of C.C.No.7154 of 2019 FTC-II Metropolitan Magistrate Court, Allikulam.

(ii) The party of second part agree to pay the balance amount of Rs.2,00,000/- on or before 09.01.2026 by way of Demand Draft in the favour of P.D.Joseph the party of first part herein.

(iii) The Party of first part agree and undertake to withdraw all the legal proceedings, complaint pending as against the party of the second part, and the party of first part as no other transaction as against the party of second part and there is no due payable by the party of the second part to the first part.

iv) The party of the first part Undertakes that he has not retained cheques bearing no.023040, 023041, 023043, 023044 drawn on ICICI Bank Perungudi Branch, Chennai, any Instruments, Promissory notes, unfilled and signed stamp papers, promissory notes or what so ever belongs to the party of second part and the party of first part states that he will not make any claim as against the party of second part in future.”

7. In view of the submissions made by the learned counsel for the parties and the Memorandum of Understanding, dated 09.12.2025, entered into between the parties, which is part of the mediation proceedings, this Criminal Revision Case is disposed of , in terms of the said Memorandum of Understanding, dated 09.12.2025, with a direction to the parties that the parties shall abide by the terms and conditions of the said Memorandum of Understanding, dated 09.12.2025. The file is consigned to record.

16-06-2026

Index: Yes/No



Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The XVI Additional Sessions Judge, Chennai,
2. The Metropolitan Magistrate Fast Track Court No.2, Allikulam, Chennai



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SHAMIM AHMED, J.

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