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Crl.R.C. No. 26 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. 2646 of 2025

M.K. Kumareasan,
S/o. M.S. Karunakaran,
Residing at No. 16/1,
5th Street, SRB Nagar,
Kolathur, Chennai – 600 099.

..Petitioner

Vs.

A. Purushothaman,
S/o. Annamalai,
No.444/6, 11th Street,
South Colony, ICF.,
Chennai – 600 038.

..Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS to call for the records in Crl.A. No. 795 of 2024 on the file of learned XIX Additional Judge, City Civil Court, Chennai confirming the conviction and sentence imposed by judgment dated 20.09.2024 in STC No. 2802 of 2024 by the learned Metropolitan Magistrate, Fast Track Court II, Allikulam, Egmore, Chennai, by judgment dated 11.09.2025 and to set aside the same.



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For Petitioner :: Mr.D. Vijay Krishna

For Respondent :: Mr. Senthil Velan

ORDER

The revision challenges the judgment dated 11.09.2025 passed in Criminal Appeal No. 795 of 2024 by the learned XIX Additional Judge, City Civil Court, Chennai confirming the conviction and sentence imposed on the petitioner for the offence under Section 138 of the Negotiable Instruments Act by judgment dated 20.09.2024 in STC No. 2802 of 2024 by the learned Metropolitan Magistrate, Fast Track Court II, Allikulam, Egmore, Chennai. The petitioner was sentenced to undergo six months simple imprisonment and to pay compensation of Rs.3,00,000/- carrying a default sentence of simple imprisonment for two months for the aforesaid offence.

2. Learned counsel for the petitioner and the respondent would submit that the parties have since arrived at a compromise by which the respondent had agreed to receive a sum of Rs.3,00,000/- with interest in full and final settlement of all his claims against the petitioner. A Joint Memo of Compromise dated 05.01.2026 has also been filed by the parties.

3. The petitioner is present. Though the respondent is not present in person, the learned counsel for the respondent would assert that the respondent had appeared



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through videoconferencing on the previous occasion and had confirmed the compromise.

4. It is reported that the petitioner paid a sum of Rs.2,10,000/- on 23.12.2025 and a sum of Rs.21,600/- on 23.12.2025 to the respondent. The petitioner has also deposited a sum of Rs.90,000/- to the credit of STC No. 2802 of 2024 on the file of the learned Metropolitan Magistrate, Fast Track Court No.II, Allikulam, Egmore, Chennai.

5. Learned counsel for the respondent submitted that the respondent may be permitted to withdraw the said amount of Rs.90,000/-.

6. 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 Compromise Memo dated 05.01.2026 and set aside the conviction and sentence imposed on the petitioner by the trial Court.

7. Accordingly, the Joint Compromise Memo dated 05.01.2026 is taken on file. The Criminal Revision Case is allowed in terms of the Joint Compromise Memo dated 05.01.2026. The conviction and Sentence imposed on the petitioner vide judgment dated



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20.09.2024 in STC No. 2802 of 2024 by the learned Metropolitan Magistrate, Fast Track Court No.II, Allikulam, Egmore, Chennai and confirmed by judgment dated 11.09.2025 in Crl.A.No.795 of 2024 by the learned XIX Additional Judge, Civil Court, Chennai, are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

8. The respondent is permitted to withdraw Rs.90,000/-/- [Rupees Ninety Thousand only] deposited 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.

05.01.2026

Index: Yes/No

Speaking order/Non-Speaking Order

Neutral Citation: Yes/No

nv

(Note to Office: Issue order copy today

itself (05.01.2026))



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Crl.R.C. No. 26,13 of 2020

To

1. The XIX Additional Judge,
City Civil Court, Chennai.
2. The Metropolitan Magistrate,
Fast Track Court II, Allikulam,
Egmore, Chennai.



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SUNDER MOHAN,J.

nv

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05.01.2026