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Crl.R.C.No.2660 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2026

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THE HONOURABLE MR.JUSTICE **SUNDER MOHAN**

Crl.R.C.No.2660 of 2025
& Crl.M.P.No.23361 of 2025

J.Benjamin Franklin

...

Petitioner

Vs.

B.Gunasekaran

...

Respondent

Prayer: Criminal Revision Petition filed under Sections 438 and 442 of BNSS Act, 2023, to set aside the Judgment dated 28.03.2025 passed by the learned Sessions Judge of the Nilgiris at Udhagamandalam in Crl.A.No.99 of 2023 confirming the Judgment dated 01.12.2023 passed by the learned District Munsif-cum-Judicial Magistrate, Kotagiri in S.T.C.No.175 of 2022.

For Petitioner : Mr.L.Mouli

For Respondent : Mr.M.N.Balakrishnan

ORDER

The petitioner has preferred the above revision challenging the judgment passed by the learned Sessions Judge of the Nilgiris at Udhagamandalam, in C.A.No.99 of 2023 dated 28.03.2025; confirming



Crl.R.C.No.2660 of 2025

the judgment of the learned Magistrate convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act, and sentenced him to undergo one year Simple Imprisonment and to pay the cheque amount of Rs.4,75,000/- as compensation to the respondent within two months, in default, to undergo one month simple imprisonment.

2.Pending the Revision, the parties were referred to mediation. The parties have arrived at a settlement before the Mediator and have filed the Settlement Agreement entered into between them.

3.As per the said Settlement Agreement, the respondent has agreed to receive Rs.3,00,000/- (Rupees Three Lakhs only) in full and final settlement of all his claims. It is also stated that the respondent has received the said amount of Rs.3,00,000/- on 08.01.2026.

4.The learned counsel for the respondent confirms the said fact.

5.The Settlement Agreement is taken on record and shall be treated as a part and parcel of this order.



Crl.R.C.No.2660 of 2025

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6.In view of the Settlement Agreement and considering the nature of the offence, this Court permits the parties to compound the offence. Accordingly, the judgment of conviction passed by the learned Sessions Judge of the Nilgiris at Udthagamandalam, in C.A.No.99 of 2023 dated 28.03.2025, confirming the judgment of conviction and sentence dated 01.12.2023 passed by the learned District Munsif-cum-Judicial Magistrate, Kotagiri, in S.T.C.No.175 of 2022, are hereby set aside. The Criminal Revision Case is allowed in terms of the above Settlement Agreement and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act. Consequently, the connected miscellaneous petition is closed. The fine amount, if any, paid by the petitioner shall be refunded. The bail bond, if any, executed shall stand discharged. Further, the petitioner is directed to pay a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the Tamil Nadu Mediation and Conciliation Centre, within a period of four weeks from the date of receipt of a copy of this order.

28.01.2026

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

3/4



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Crl.R.C.No.2660 of 2025

SUNDER MOHAN, J.
Tsg

To

- 1.The District Munsif-cum-Judicial Magistrate, Kotagiri.
- 2.The Sessions Judge of the Nilgiris at Udthagamandalam.
- 3.The Tamil Nadu Mediation and Conciliation Centre,
Chennai.

Crl.R.C.No.2660 of 2025
& Crl.M.P.No.23361 of 2025

28.01.2026