



CRL RC(MD). No.986 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26.02.2026

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL RC(MD). No.986 of 2025

M. Sundar,

... Petitioner

Vs.

M.Xavier Raja Dev,,

... Respondent

PRAYER :- Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for records in C.A.No.57 of 2012 dated 17.06.2025 on the file of Sessions Fast Track Mahila Court, Nagercoil which confirmed the judgment of conviction and sentence in C.C.No.159 of 2012 dated 12.07.2012 on the file of Judicial Magistrate (Fast Track) No.1, Nagercoil and set aside the both judgments by allowing this Revision Petition.

For Petitioner : Mr.Aayiram K.Selvakumar,

For Respondent : Mr.R.Russel Raj,

ORDER

Heard Mr.Aayiram K.Selvakumar, learned Counsel for Revision Petitioner and Mr.R.Russel Raj, learned Counsel for Respondent.



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2. This Criminal Revision Case has been filed challenging the order dated 29.01.2025 passed by Sessions Fast Track Mahila Court, Nagercoil in C.A.No.57 of 2012, confirming the judgment passed by Judicial Magistrate (Fast Track) No.1, Nagercoil in C.C.No.159 of 2012 dated 12.07.2012.

3. Mr.Aayiram K.Selvakumar, learned Counsel for Revision Petitioner would submit that Petitioner was convicted by Judicial Magistrate (Fast Track) No.1, Nagercoil in C.C.No.159 of 2012 dated 12.07.2012 for offence under Section 138 of Negotiable Instruments Act and sentenced to undergo Simple Imprisonment for one year and also directed to pay a compensation of Rs.2,50,000/- , in default, to undergo Simple Imprisonment for three months.

3.1. Aggrieved, Petitioner filed criminal appeal in C.A.No.57 of 2012 before Sessions Fast Track Mahila Court, Nagercoil and the lower



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Appellate Court, by the judgment dated 17.06.2025 confirmed the judgment passed by Trial Court.

4. It is submitted by the learned Counsel for both parties that the issues raised between the Petitioner and Respondent have been resolved before the Mediation and Conciliation Centre attached to this Court. The settlement agreement has been filed to that effect, wherein it has been stated that Respondent has agreed to withdraw the complaint against Petitioner. Learned Counsel, on instructions from Respondent, also submits that Respondent has no objection to the Criminal Revision Case being allowed. The Settlement Agreement reads as follows:

Settlement Agreement

This Settlement Agreement entered into on 17.02.2026

between

M.Sundar – Petitioner

and

M.Xavier Raja Dev- Respondent

Whereas

1. Disputes and differences had arisen between the parties hereto and Crl.R.C.(MD) No. 986/2025 was filed



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on 28/07/2025 before Madurai Bench of Madras High Court, Madurai.

2. The matter was referred to mediation / conciliation vide an order dated 03.12.2025 passed by The Hon'ble Mr. Justice Mohammed Shaffiq

3. The parties agreed that Mr.S. MohanDoss would act as their Mediator/Conciliator.

4. Several meetings were held during the process of Mediation/Conciliation from 15.02.2025 to 17.02.2026 and the parties have with the assistance of the Mediator / Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement / Agreement in the presence of the Mediator/ Conciliator.

6. The following settlement has been arrived at between the parties hereto:



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1. The dispute between the petitioner and respondent has been amicably settled out of court.

2. Pursuant to the settlement, the petitioner has paid the cheque amount of Rs.2,50,000/- (Rupees: Two Lakhs Fifty Thousand Only) to the respondent to the full satisfaction of the respondent.

3. The respondent has received the entire amount and has no further claim whatsoever against the petitioner arising out of the cheque in question.

4. The settlement has been arrived at voluntarily, without any coercion, threat or undue influence.

5. The settlement agreement is attached herewith.

7. By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to Crl.R.C.(MD) No. 986/2025 and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of Conciliation /Mediation.



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5. In view of the Settlement Agreement, orders passed by Sessions Fast Track Mahila Court, Nagercoil in C.A.No.57 of 2012, dated 29.01.2025 and Judicial Magistrate (Fast Track) No.1, Nagercoil , in C.C.No.159 of 2012 dated 12.07.2012, are set aside. Consequently, the Petitioner is acquitted.

6. This Criminal Revision Case stands **disposed of** in terms of the above Settlement Agreement, which shall form part and parcel of the order.

26.02.2026

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TO

1. The Sessions Fast Track Mahila Court,
Nagercoil
2. The Judicial Magistrate (Fast Track) No.1,
Nagercoil



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MOHAMMED SHAFFIQ,J.

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