



Crl.RC(MD)No.840 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.02.2026

CORAM:

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.R.C.(MD)No.840 of 2019
and
Crl.M.P(MD)Nos.9858 and 9859 of 2019

Venkatachalam

... Petitioner

Vs.

1. State through,
Public Prosecutor,
Dindigul

2. Sri Vengada Subramaniya Vivasaya Stores,
Rep. through Duraisamy(died),
S/o.Ramasamypillai,
D.Gopikannan,
S/o.Late. Duraisamy,
Dhadikombu Road
Dindigul.

... Respondents

Prayer: Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the order passed in C.C.No.303 of 2012 dated 20.12.2016 on the file of the Judicial Magistrate Court No.1, Dindigul by confirming the order passed in Crl.A.No.7 of 2017 dated 19.07.2019 on the file of the Fast Track Mahila Judge, Dindigul by allowing the Criminal Revision Petition.



Crl.RC(MD)No.840 of 2019

WEB COPY

For Petitioner	: Mr.S.Karthik
For R1	: No Appearance
For R2	: Mr.A.Arul Jenifer

ORDER

Heard Mr.S.Karthik, learned Counsel for petitioner and Mr.A.Arul Jenifer, learned counsel for second respondent.

2. Criminal Revision Petition has been filed to set aside the judgment dated 19.07.2019 made in Crl.A.No.07 of 2017 on the file of Fast Track Mahila Judge, Dindigul, confirming the judgment passed by Judicial Magistrate Court No.1, Dindigul, in C.C.No.303 of 2012 by order dated 20.12.2016.

3. Second respondent/complainant herein filed a complaint as against petitioner alleging that petitioner herein committed an offence under Section 138 of Negotiable Instruments Act (herein after referred to as “NI Act”) and the same was taken on file by Judicial Magistrate Court No.1, Dindigul in C.C.No.303 of 2012. Both Trial Court and First Appellate Court concurrently held that petitioner was guilty of offence



Crl.RC(MD)No.840 of 2019

under Section 138 of NI Act, convicted and sentenced to undergo simple imprisonment for six months and also pay fine of Rs.10,000/- and in default, to undergo one month simple imprisonment. Aggrieved, petitioner/accused filed the present Criminal Revision Petition.

4. Today, when this Criminal Revision Case was taken up for hearing, it is informed by both learned counsel for petitioner as well as second respondent that during pendency of this Criminal Revision case, they resolved/decided to settle their disputes. Both revision petitioner/accused and second respondent/complainant, were present before this Court along with Identity Cards (Aadhar Cards). They filed a copy of Joint Memo of Compromise dated 19.02.2026 stating that dispute under Section 138 of NI Act is amicably settled out of Court and prayed to compound the offence. Further, respondent also agreed to withdraw the case as against petitioner.

5. Section 147 of the Negotiable Instruments Act, 1881 reads as follows:-

“147. Offences to be compoundable.—

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence



CrI.RC(MD)No.840 of 2019

WEB COPY

punishable under this Act shall be compoundable].”

In view of the aforesaid provision, offence under Section 138 of the Negotiable Instruments Act becomes compoundable at any stage of the case.

6. The Hon'ble Apex Court had formulated the guidelines for compounding the offence under section 138 N.I. Act in the following cases:

(i) Damodar S.Prabhu vs. Sayed Babalal H reported in 2010 (2) SCC (Cri) 1328,

(ii) M/s Meters and Instruments Private Limited and another vs. Kanchan Mehta reported in 2017 (7) Supreme 558 and

(iii) Virender Singh Donowal vs. Manju Aggarwal in Criminal Appeal No.5060 of 2025, dated 18.11.2025.

7. In view of the above, the present offence committed by petitioner/accused under Section 138 of NI Act, stands compounded under Section 147 of the Act. Contents of the Joint Memo of Compromise dated 19.02.2026, was read out to both parties and the same was agreed to by



Crl.RC(MD)No.840 of 2019

either side. Accordingly, this Court is inclined to pass the following orders:-

(i) The judgment of conviction and sentence passed by Courts below are set aside and accused is acquitted of the charge under Section 138 of the NI Act.

(ii) The Joint Memo of Compromise dated 19.02.2026 shall form part and parcel of this Order.

8. With the above directions, this Criminal Revision Petition is allowed. Consequently, connected miscellaneous petitions are closed.

19.02.2026

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

To

1. The Judicial Magistrate Court No.1, Dindigul
2. The Fast Track Mahila Judge Sessions Court, Dindigul
3. The Section Officer,
V.R.Section,

5/7



Crl.RC(MD)No.840 of 2019

Madurai Bench of Madras High Court.

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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

MOHAMMED SHAFFIQ, J.

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Crl.RC(MD)No.840 of 2019

Crl.R.C.(MD)No.840 of 2019
and
Crl.M.P(MD)Nos.9858 and 9859 of 2019

19.02.2026