



**BAIL SLIP**

The Revision Petitioner /Accused Thangavel, S/o.Palaniappan was released on bail (Accused Not in Jail) granted as per order dated 21.03.2016 made in Crl MP(MD)No.1 of 2015 in Crl RC(MD)No.580 of 2015.

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 30.09.2020**

**CORAM**

**THE HONOURABLE MR. JUSTICE B.PUGALENDHI**

**Crl.R.C. (MD) .No.580 of 2015**

P.Thangavel

.. Petitioner/Sole Accused

Vs.

V.P.Seeniraj

.. Respondent/Complainant

**PRAYER:** Criminal Revision Case, filed under Section 397 r/w. 401 of the Criminal Procedure Code, to set aside the order of conviction and sentence imposed on him by the learned Judicial Magistrate, Sankarankoil, Tirunelveli District made in S.T.C.No.104 of 2008 dated 24.06.2014 as confirmed by the learned III Additional District and Sessions Judge, Tirunelveli made in C.A.No.64 of 2014, dated 20.02.2015.

For Petitioner : Mr.B.Jeyakumar

For Respondent : Mr.F.X.Eugene

**ORDER**

This revision case is filed by the petitioner / accused as against the order of conviction imposed by the Courts below for the offence under Section 138 of the Negotiable Instruments Act.

2.A private complaint under Section 200 Cr.P.C. was filed by the respondent herein, as against this revision petitioner, before the learned Judicial Magistrate, Sankarankoil, for the offence under Section 138 of Negotiable Instruments Act and the said complaint was taken on file in S.T.C.No.104 of 2008 by the learned Judicial Magistrate, Sankarankoil and after the trial, the trial Court found the petitioner / accused guilty for the offence under Section 138 of the Negotiable Instruments Act, convicted and sentenced him to undergo one year rigorous imprisonment and to pay a compensation of Rs.10,000/- (Rupees ten thousand only), in default to undergo three months simple imprisonment.

3.As against the conviction and sentence, the petitioner preferred an appeal before the Sessions Court and the same was taken



on file in Crl.A.No.64 of 2014 by the learned III Additional District and Sessions Judge, Tirunelveli. The learned III Additional District and Sessions Judge, dismissed the appeal by judgment dated 20.02.2015.

4. Aggrieved over the orders of the trial Court and the appellate Court, the petitioner /accused preferred this Criminal Revision Case on the ground that the trial Court and the appellate Court have not appreciated the evidence properly.

5. Pending the revision case, by order dated 12.04.2019, the matter was referred to the Mediation Centre for amicable settlement, wherein, both parties have arrived at a compromise and agreed for the payment of Rs.2,75,000/- to be paid by the revision petitioner to the respondent. Pursuant to the settlement arrived at the Mediation Centre, the revision petitioner has paid the entire amount of Rs.2,75,000/- (Rupees Two Lakhs and Seventy Five Thousand only) on five installments by way of Demand Drafts drawn in favour of the respondent namely V.P.Seeniraj. The petitioner has also filed a memo to that effect.

6. Recording the memo filed by the petitioner and in view of the provision under Section 147 of the Negotiable Instruments Act, this Court is inclined to allow the Revision Petition.

7. Accordingly, this revision petition is allowed by setting aside the orders of the trial Court and the Appellate Court. The fine amount paid by the petitioner, if any, shall be refunded to him.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

*Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

1. The III Additional District and Sessions Judge, Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.-Do- Thro The Principal District Judge, Tirunelveli.

3.The Judicial Magistrate, Sankarankoil,Tirunelveli.

4.-do- Thro The Chief Judicial Magistrate, Tirunelveli.

Copy to

The Section Officer, Criminal Section,  
Madurai Bench of Madras High Court, Madurai (2 copies)

**Crl.R.C. (MD) .No.580 of 2015**  
**30.09.2020**

VB (14.10.2020) 3P 7C