

IN THE COURT OF THE DISTRICT AND SESSIONS JUDGE, KARUR
PRESENT:- THIRU.K.H.ELAVAZHAGAN, B.Sc., M.L.,
DISTRICT AND SESSIONS JUDGE, KARUR.

Tuesday, the 10th day of February 2026

CRIMINAL APPEAL No. 118 / 2025 in CrI.M.P.No. 166 / 2026

From what Court the appeal is preferred	: Judicial Magistrate, Fast Track Court at Magisterial Level, Karur.
Number of the case in that Court	: S.T.C.No.856/2021
Name and Description of the appellant	: P.Manivannan, S/o.Pandurangan, No.33, Mariyamman Kovil Street, Dharmapuri – 639 701.
Name of the complainant	: M.Prasanth S/o.Murugesan, No.77/16, Vaiyapuri Nagar 1 st Cross, Karur – 639 002
The sentence and law under which it was imposed in the lower court	: The accused is convicted and sentenced to undergo One year simple imprisonment and directed to pay compensation of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand Only) to the complainant u/s.357(3) of Cr.P.C, within One month, failing which he shall undergo simple imprisonment for One month.
Whether confirmed, modified or reversed and if modified modification	: As a result, in view of the petition filed by the parties, charge is compounded. Thereby this appeal is allowed and the conviction and sentence passed by the Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in S.T.C.No.856/2021 dated 20.01.2025 is set aside and the appellant/accused is acquitted from the charge u/s 138 of N.I Act. The bail bonds if any executed by the appellant / accused shall stands cancelled.

	The fine amount if any, paid by the appellant/accused is ordered to be refunded to the appellant/accused by the trial court.
Date of filing	: 14.03.2025
Date of notice issued by that court to appear	: 29.04.2025
Date of bail bond if the appellant has been let out on bail	: -----
Date of the appellant ordered to appear	: -----
Date of hearing	: 10.02.2026
Date of Judgment / Order	: 10.02.2026

This criminal appeal is coming on for final hearing before me today in the presence of Thiru.S.Mohana, Advocate for the appellant/accused and of Thiru.V.Nandhakumar, Advocate for the respondent/complainant and on hearing the arguments of both sides and upon perusing the judgment of the trial Court and the case records and having stood over till this day for consideration, this Court delivered the following:-

JUDGMENT:-

The criminal appeal is filed u/s.374(3) of Cr.P.C against the judgment of conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in S.T.C.No.856/2021 dated 20.01.2025 and to set aside the same.

2) The case was registered against the accused for the offence u/s.138 of Negotiable Instruments Act. The learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur has convicted the accused for the offence u/s.138 of N.I. Act and sentenced to undergo One year simple imprisonment and directed to pay compensation of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand Only) to the complainant u/s.357(3) of Cr.P.C, within One month, failing which he shall undergo simple imprisonment for One month.

3) After taken on file of the appeal, the counsel appearing for the Appellant/Accused has filed a petition in CrI.M.P.No.166/2026 seeking to permit the party's to compound the offences and the Petitioner/Appellant/Accused may be acquitted from the above case leveled against him and thus render justice.

4) CrI.M.P.No.166/2026:-

4(1) The Petitioner/Appellant/Accused has filed the appeal U/s.138 of N.I. Act. Now the Petitioner/Appellant/Accused has amicably settled the case out of court with the Respondent/Respondent/Complainant through the well-wishers of them. The Petitioner/Appellant/Accused has paid entire cheque amount Rs.2,50,000/- to the respondent/complainant.

4(2) Hence it is unnecessary to proceed the case further. The Appellant prays 15 days time for a deposit of 7.5% of the cheque amount to the legal Aid. Therefore prays to this court to permit the party's to compound the offences and the Petitioner/Appellant/Accused may be acquitted from the above case leveled against

him. Hence prays to allow this petition.

5) Since the offence against the accused is compoundable under Section 147 of N.I. Act and the said provision enables the Court to compound the offence. On perusal of the above petition, it is seen that the dispute has been solved by the appellant/accused and he has amicably settled the cheque amount to the respondent/complainant as per the settlement. Hence, in view of the compromise arrived between either parties, the charge is compounded and this petition is allowed on a condition.

6) C.A.No. 118 / 2025:-

In the result, in view of the petition filed by the appellant/accused in CrI.M.P.No.166/2026 and as the settlement arrived between either parties, the offence is compounded. Thereby this appeal is allowed on a condition and the conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in S.T.C.No.856/2021 dated 20.01.2025 is set aside and the appellant/accused is acquitted from the charge u/s 138 of N.I Act.

The bail bonds if any executed by the appellant/accused shall stands cancelled.

The fine amount if any, paid by the appellant/accused is ordered to be refunded to the appellant/accused as per settlement.

Further the **Damodar S.Prabhu /Vs./ Sayed Babalal H., (2010) 5 SCC 663** the **Hon'ble Supreme Court** has given directions i.e. “*(c) Similarly, if the payment of cheque amount is made before the Sessions Court or a High Court in Revision or Appeal, such Court may compound the offence on the condition that the accused pays 7.5% of the cheque amount by way of costs.*”

Therefore, the appellant/accused is directed to pay 7.5% of the cheque amount before the District Legal Services Authority, Karur and the said condition should be complied on or before 25.02.2026. Call on 25.02.2026.

Dictated to the Steno typist, typed by her directly on computer, corrected and pronounced by me in the open court, on the 10th day of February-2026.

**DISTRICT AND SESSIONS JUDGE,
KARUR.**