

IN THE COURT OF THE JUDICIAL MAGISTRATE AT SIRKALI

Present: Thiru. R.Kailaash B.A.,B.L.,
Judicial Magistrate,
Sirkali.

Friday, the 13th day of March 2026

S.T.C.No.1649/2021
CNR.No.TNMY - 000499-2015

1.	Details of the Complainant	:	M.Ravichandran S/o.Muthusamy N.4, Kamarajar street, Thenpathi, Sirkali Tk, Mayiladuthurai Dt
2.	Details of the Accused	:	G.Ramesh, S/o. Gurusamy, Kulakarai colony street, Thittai, Sirkali Tk, Mayiladuthurai Dt
3.	Date of Complaint	:	18.06.2021
4.	Commencement of Trial	:	30.05.2025
5.	Closure of Trial	:	18.02.2026
6.	Judgment	:	13.03.2026
7.	Reason for Delay	:	Warrant Pending

This case was taken cognizance on 06.09.2021 and came up for final hearing on 13.03.2026 in the presence of Mr.S. Balasubramaniam counsel for the complainant and Mr.R.Balaji, counsel for the accused. After hearing the submissions, upon perusing the materials on record and having stood over for consideration till this day, this court delivers the following:-

JUDGMENT

The complainant has filed this complaint U/s.200 of code of criminal procedure r/w section 138 & 142 of the Negotiable Instrument Act against the accused alleging that, the accused has committed the offence u/s.138 of N.I Act and prayed for awarding suitable punishment to the accused according to law and for award of compensation to him.

2. The case of the complainant is as follows:

The accused and the complainant are family friends. On that basis, for the purpose of meeting out his urgent family expenses the accused borrowed a sum of **Rs.97,500/-** from the complainant as loan and executed a hand letter on the same day. When the complainant insisted for repayment, in order to discharge the said loan, on **12.03.2021** the accused issued a cheque which is dated as **12.03.2021** bearing No.**866166** in favour of the complainant, drawn on **Indian Bank, Sirkali Branch**. When at the request of the accused, he presented the cheque for collection on **12.03.2021** through his banker viz.**Indian Bank, Thenpathi Branch**, it was returned unhonoured on **12.03.2021** for the reason “**Funds Insufficient**”. Therefore, the complainant issued a registered legal notice to the address of the accused on **09.04.2021** demanding him to settle the cheque amount within 15 days. The said notice was served on **15.04.2021**. Since the accused did not pay the cheque amount, this complaint was filed before this court on **18.06.2021**. In view of covid-19 pandemic the complaint was deemed to have been filed within the period of limitation.

3. After filing of the complaint, sworn statement of the complainant was recorded. Then, this court took cognizance of the offence u/s 138 of NI Act and on satisfaction that there are sufficient grounds available to proceed against the accused, summon was issued to the accused. After his

appearance, copies of material documents were furnished u/s 207 of Cr.P.C. at free of cost. Then, the substance of accusation in this case was explained to the accused u/s 251 of Cr.P.C. for which the accused pleaded as 'False case' and so the case was posted for trial.

4. The case of the accused is as follows:

The accused has not defended this case in a fullfledged manner for the reasons best known to him. He chose not to issue a reply notice, he chose not to cross examine the complainant and also he failed to adduce any evidence on his part even after grant of several opportunities.

5. On behalf of the complainant, he himself was examined as **P.W.1** and **Ex.P1-P4** were marked. On behalf of the accused, no witnesses were examined and no documents were marked.

6. Heard both sides. Perused the materials and documents available on record.

7. After completion of trial, when this case was posted for judgement, the parties to the case decided to settle the dispute on hand out of the court. Accordingly, final settlement has been reported today. The complainant filed a petition under section 147 of the Negotiable Instruments Act, 1881 signed by him and both the counsels. In view of the compromise, both the parties prayed for compounding of this offence. Considering the facts and circumstances of the case on hand, the nature of relationship between the parties and also considering the fact that the offence under section 138 of NI Act is compoundable in nature, this court allowed the said petition on satisfaction that the dispute between the parties are settled out of the court. Both the parties have acknowledged the factum of settlement of dispute out of the court and prayed for acquittal of the accused from this case. This court deems it fit to compound the case on hand for the reasons as stated above.

In the result, the compromise arrived between the parties is accepted and the accused is acquitted from the offence under section 138 of the Negotiable Instruments Act, 1881 and he is set at liberty. No property is involved in this case. The bail bond executed by the accused and his sureties stands cancelled.

Dictated to typist, typed by him, corrected by me and pronounced by me in the open court on this 13th day of March 2026.

Judicial Magistrate,
Sirkali.

List of witnesses examined on the complainant's side:

P.W.1- Ravichandran (Complainant)

List of exhibits marked on the side of complainant through P.W.1:

1.	12.03.2021	The cheque bearing No.866166	Ex.P1
2.	12.03.2021	Return Memo	Ex.P2
3.	09.04.2021	Office copy of statutory legal notice	Ex.P3
4.	15.04.2021	Postal Acknowledgement card	Ex.P4

List of witnesses examined/Documents marked on the side of the accused :NIL

Judicial Magistrate,
Sirkali.