

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE,  
VELLORE, VELLORE DISTRICT.**

**Present:- Thiru.M.Elavarasan**  
Principal District Judge

Tuesday, the 28<sup>th</sup> day of April, 2026

**C.A.No. 23 of 2025**  
CNR No. TNVL01-003695-2025

From which court the appeal is preferred	Judicial Magistrate, Gudiyatham
No. of the case in the trial court	C.C. No. 174 of 2017
Trial court judgment dated	14.07.2025
No. of the appeal in this court	C.A. No. 23 of 2025
Name & Description of the Appellant/Accused	G. Prakasam, (M-42), S/o. Gunasekaran, No.21/1, Mariamman Koil Street, Sedhukkarai, Gudiyatham Vellore District, Tamil Nadu.
Name and Description of the Respondent	T.D. Ganesan, (M-70), S/o. Duraisamy, Swastik Nagar, 1 <sup>st</sup> Street, Opp: S.L.P. Kalyanamandapam, Gudiyatham Taluk, Vellore District, Tamil Nadu

Judgment and sentence imposed by the trial court	<p>(i) Appellant/accused was found guilty and convicted for the offence u/s. 138 NI Act and the accused was sentenced to undergo three months simple imprisonment under Sec.255(2) of Cr.P.C. Since it is admitted by both the complainant and the accused that some amount has been paid after filing of this complaint and there is dispute with regard to quantum of amount paid and yet to be paid between them. The compensation u/s 357(3) of Cr.P.C cannot be fixed validly as twice the amount of cheque. Hence no order as to compensation.</p>
Whether confirmed, modified, or reversed	Reversed since settled before Lok Adalat
Details of Judgment	<p><b>In the result,</b></p> <p>(i) this Criminal appeal is disposed off as settled before Lok Adalat;</p> <p>(ii) Accordingly, the trial court judgment in C.C.No.174 of 2017 dated 14.07.2025 is hereby set aside.</p> <p>(iii) The appellant / accused is acquitted from the offence u/s 138 of NI Act u/s 255(1) of Cr.P.C.</p>

This criminal appeal was coming before me on this day for hearing in the presence of Thiru. P. Mohanavelu counsel for the appellant and, of Thiru. S.Gunasekaran, counsel for the respondent and, the case was settled before Lok Adalath on 14.03.2026 and, this court passes the following:-

### **J U D G M E N T**

This criminal appeal is filed u/s 415 of BNSS 2023 by the convict against the judgment of conviction and sentence order passed in C.C.No.174 of 2017 dated 14.07.2025 by the Judicial Magistrate, Gudiyatham in which the Appellant/accused was found guilty and convicted for the offence u/s. 138 NI Act and the accused was sentenced to undergo three months simple imprisonment under Sec.255(2) of Cr.P.C. Since it is admitted by both the complainant and the accused that some amount has been paid after filing of this complaint and there is dispute with regard to quantum of amount paid and yet to be paid between them. The compensation u/s 357(3) of Cr.P.C cannot be fixed validly as twice the amount of cheque. Hence no order as to compensation.

2) The appellant /accused filed this appeal and the same was taken on file in CA No.23 of 2025. After receipt of entire case records from the Trial court, the case was posted for arguments. As per the representation of both sides, that on 24.02.2026, the case was referred to Lok Adalat for settlement.

3) Today, the case records were received from Lok Adalath as settled along Lok Adalath award copy in LAC.No.151 of 2026.

4) Perusal of the Lok Adalat Award, a joint compromise was filed by both parties. Based on the joint compromise memo, the appellant has to pay a sum of Rs.1,30,000/- towards cheque amount. In all, he has paid a sum of Rs.1,05,000/- to the respondent/complainant as per memo filed on 13.03.2026 before this court. The appellant has deposited a sum of Rs.26,000/- before the Judicial Magistrate court, Gudiyatham and the appellant has no objection to pay the same to the complainant/respondent towards balance cheque amount.

5) In view of the settlement arrived between the parties, the respondent / complainant having received the amount, this Criminal appeal is disposed off as settled before Lok Adalath.

**6. In the result,**

**(i) this Criminal appeal is disposed off as settled before Lok Adalat;**

**(ii) Accordingly, the trial court judgment in C.C.No.174 of 2017 dated 14.07.2025 is hereby set aside.**

**(iii) The appellant / accused is acquitted from the offence u/s 138 of NI Act u/s 255(1) of Cr.P.C.**

Pronounced by me in the open court, this the 28<sup>th</sup> Day of April, 2026.

Principal Sessions Judge,  
Vellore District.

To  
The Judicial Magistrate,  
Gudiyatham.