

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1183 OF 2017
(@ S.L.P (Criminal) No.8050 of 2016)

PREMKUMAR

APPELLANT(S)

VERSUS

K. SELVAM

RESPONDENT(S)

O R D E R

Leave granted.

The appellant who has been convicted under Section 138 of the Negotiable Instruments Act, 1881 by the trial court and ultimately lost upto the High Court in Criminal Revision Petition No.281/2015 (decided by the learned Single Judge of the High Court of Judicature at Madras on 05.08.2015) has preferred the present appeal by way of special leave. During the pendency of the appeal, accused has cleared all the dues covered under the cheque to the respondent. Learned counsel for the respondent submits that as 1% has been deducted that may be adjusted by the accused appellant for which the learned counsel for the appellant has no objection. He undertakes to pay a sum of Rs.15,000/- by way of bank draft to the respondent within six weeks. Accordingly, it is directed that the appellant shall pay a sum of Rs.15,000/- (rupees fifteen thousand)

by way of bank draft to the respondent within six weeks hence. Accordingly, the appeal is allowed and the conviction and sentence imposed by the trial court as affirmed by the High Court is set aside.

The amount that has been deposited before the Registry of this Court is permitted to be withdrawn by the respondent on proper identification.

.....J.
(DIPAK MISRA)

.....J.
(AMITAVA ROY)

.....J.
(A.M.KHANWILKAR)

NEW DELHI
18TH JULY, 2017.

ITEM NO.7

COURT NO.2

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CRIMINAL APPEAL NO(S).1183/2017

PREMKUMAR

Appellant(s)

VERSUS

K. SELVAM

Respondent(s)

(ONLY CRLMP.NO.1039/2017 (FOR EXTENSION OF TIME WITH OFFICE REPORT)
TO BE LISTED ON 18.7.2017)

Date : 18-07-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE AMITAVA ROY
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Appellant(s)

Mr.B.Karunakaran, Adv.
Mr.A. Lakshminarayanan, AOR

For Respondent(s)

Mr.S. Gowthaman, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The criminal appeal is allowed in terms of the signed order.

Pending applications, if any, also stand disposed of.

(Ashok Raj Singh)
Court Master

(H.S.Parasher)
Court Master

(Signed Order is placed in the file)