

**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**Criminal Appeal No 221 of 2020  
(Arising out of SLP (Criminal) No 979 of 2020)  
(Arising out of SLP (Criminal) Diary No 42710 of 2019)**

**Packiyaraj Augustine**

**Appellant(s)**

**Versus**

**Devaraj Nadar**

**Respondent(s)**

**ORDER**

Delay condoned.

Leave granted.

This appeal has arisen from an order of the Madurai Bench of the Madras High Court dated 25 October 2018. The High Court dismissed a Criminal Revision Petition challenging the judgment of the II<sup>nd</sup> Additional District and Sessions Judge, Thoothukudi, dated 20 September 2016 which had confirmed the conviction of the appellant for an offence under Section 138 of the Negotiable Instruments Act 1881 and the sentence of one year simple imprisonment imposed on him together with a fine of Rs.3,000.

Notice was issued by this Court on 06 January 2020.

The respondent has entered appearance.

The appellant has filed an application for compounding the offence stating that the dispute with the respondent has been settled in terms of a compromise agreement executed between the parties on 27 January 2020.

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Under the terms of the agreement, the respondent has received a sum of Rs.5,50,000 (Rupees Five Lakhs Fifty Thousand only) from the appellant.

We consider it appropriate and proper to take the application on record and accordingly pass an order in terms thereof. The order of conviction and the sentence imposed on the appellant shall, accordingly, stand set aside.

In view of the above order, the appellant who is serving out his sentence at Central Prison, Palayamkottai, shall be released forthwith, if not required in any other case.

The appeal stands disposed of in the above terms.

....., J.  
[ Dr Dhananjaya Y Chandrachud ]

....., J.  
[ Hemant Gupta ]

**New Delhi;  
February 03, 2020**

ITEM NO.50

COURT NO.7

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**

**SPECIAL LEAVE PETITION (CRIMINAL) Diary No. 42710/2019**

(Arising out of impugned final judgment and order dated 25-10-2018 in CRLRC(MD) No. 846/2016 passed by the High Court of Judicature at Madras at Madurai)

**PACKIAYARAJ AUGUSTINE**

**Petitioner(s)**

**VERSUS**

**DEVARAJ NADAR**

**Respondent(s)**

**(FOR ADMISSION and I.R. and IA No.192778/2019-CONDONATION OF DELAY IN FILING and IA No.192780/2019-EXEMPTION FROM FILING O.T. and IA No. 18192/2020 - COMPOUNDING OFFENCE)**

**Date : 03-02-2020 This matter was called on for hearing today.**

**CORAM :**

**HON'BLE DR. JUSTICE D.Y. CHANDRACHUD**  
**HON'BLE MR. JUSTICE HEMANT GUPTA**

**For Petitioner(s)**

**Mr. Beno Bencigar, Adv.**  
**Mr. Parijat Kishore, AOR**

**For Respondent(s)**

**Ms. Rangoli Seth, Adv.**  
**Ms. G. Indira, AOR**  
**Mr. K. V. Jagdishvaran, Adv.**

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

**Delay condoned.**  
**Leave granted.**

**The appeal stands disposed of in terms of the signed order.**

**Pending applications stand disposed of.**

**(NIDHI AHUJA)**  
**COURT MASTER (SH)**

**(SAROJ KUMARI GAUR)**  
**BRANCH OFFICER**

**[Signed order is placed on the file.]**