

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Crl.MC.No. 1419 of 2015 ()

CC.NO. 291/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I,KOCHI

PETITIONER/ACCUSED NO.1:-

T. PADMAJAN,
MANAGING DIRECTOR, M/S.SHORELINE LIFESTYLE PVT. LTD.,
28/3377, FIRST FLOOR, MENON'S COMPLEX,
KADAVANTHRA, ELAMKULAM VILLAGE, KANAYANNUR TALUK,
ERNAKULAM DISTRICT.

BY ADVS.SRI.P.CHANDRASEKHAR
SRI.P.A.MOHAMMED SHAH
SRI.SOORAJ T.ELENJICKAL
SMT.P.M.MAZNA MANSOOR

RESPONDENT(S)/(STATE-COMPLAINANT):-

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. SUNANDAPPAN,
S/O.AYAPPAN, 'ANUGRAHA', PUNNAPRA,
PARAVUR VILLAGE, AMPALAPUZHA TALUK,
ALAPPUZHA DIST - 688 004.

R1 BY PUBLIC PROSECUTOR SMT. P.MAYA
R2 BY ADVS. SRI.M.D.SASIKUMARAN
SRI.K.S.HARIHARAPUTHRAN
SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G
SRI.DIPU JAMES

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 08-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

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APPENDIX

**ANNEX I. THE TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
IN CRL.M.C 186/2012 DATED 14.06.2014.**

ANNEX II. THE CERTIFIED COPY OF THE ORDER PASSED BY THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOCHI IN CMP NO.192/2015 DATED 23.02.2015.

ANNEX III. THE CERTIFIED COPY OF THE COMPLAINT IN CC NO.291 OF 2015 IN THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOCHI.

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

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Crl.M.C. No.1419 of 2015 B
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Dated this the 8th day of October, 2015

ORDER

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The matter relates to C.C.No.291/15 pending before the Judicial First Class Magistrate's Court-I, Kochi, in respect of an offence punishable under Section 138 of the Negotiable Instruments Act.

2. The 3rd accused, and the complainant, who is the 2nd respondent herein, have jointly filed a compromise petition under Section 147 of the Negotiable Instruments Act before this Court stating that the matter has been amicably settled between the parties, and that the 2nd respondent has received all the moneys due to him from the accused. Matters being so, the offence is treated as compounded and the same has got the effect of acquittal within the meaning of Section 320(8) Cr.P.C. Hence, there is no meaning in proceeding with the matter further. Therefore, Annexure-III

complaint and all further proceedings pursuant to it in C.C.No.291/2015 on the file of the Judicial First Class Magistrate's Court-I, Kochi are liable to be quashed.

In the result, this Crl.M.C. is allowed and Annexure-III complaint and all further proceedings pursuant to it in C.C.No.291/2015 on the file of the Judicial First Class Magistrate's Court-I, Kochi are hereby quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/08/10

// True Copy //

PA to Judge