

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

Crl.MC.No. 1437 of 2015

**CMP NO. 188/2015 JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOCHI
CC 290/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - I, KOCHI**
.....

PETITIONER(S)/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**

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

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SUNANDAPPAN,
S/O.AYAPPAN, 'AUGRAHA', PUNNAPRA,
PARAVUR VILLAGE, AMPALAPUZHA TALUK,
ALAPPUZHA DISTRICT - 688 004.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2 BY ADVS. SRI.M.D.GANGADHARAN
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
18-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 1437 of 2015

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE I: THE TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN
CRL.M.C. 889/2013 DATED 14/06/2014.**

**ANNEXURE II: THE CERTIFIED COPY OF THE ORDER PASSED BY THE JUDICIAL
FIRST CLASS MAGISTRATE COURT-I, KOCHI IN CMP NO. 188/2015
DATED 03/02/2015.**

**ANNEXURE III: THE CERTIFIED COPY OF THE COMPLAINT IN CC NO. 290 OF 2015 IN
THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOCHI.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.A.TO JUDGE.

MsV/

B.KEMAL PASHA, J.

.....
CRL. M.C. No.1437 of 2015
.....

Dated this the 18th day of September, 2015

ORDER

The matter relates to C.C.No.290/15 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 2nd respondent, who is the complainant herein, have jointly filed a compromise petition under Section 147 of the N.I. 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.290/2015 on the file of the Judicial First Class Magistrate's Court-I, Kochi are liable to be quashed.

In the result, this CrI.M.C. is allowed and Annexure-III complaint and all further proceedings pursuant to it in C.C.No.290/2015 on the file of the Judicial First Class Magistrate's Court-I, Kochi are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge