

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. 1523 of 2015

AGAINST C.C.NO.290/2015 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT -I, KOCHI, (ARISING OUT OF ORDER IN M.P.NO.188/2015 WHICH WAS EARLIER NUMBERED AS S.T.NO.3459/2014 IN THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I OF ALAPPUZHA)

PETITIONER(S)/ACCUSED NO. 2 :

**SANKARAN GANGADHARAN NAIR, AGED 63 YEARS,
S/O.KUMAR KURUP, CHAIRMAN,
M/S.SHORELINE LIFESTYLE PVT. LTD., 28/3377,
FIRST FLOOR, MENON'S COMPLEX, KADAVANTHRA,
ELAMKULAM VILLAGE, KANAYANNUR TALUK,
ERNAKULAM DISTRICT.**

**BY DR.S.GOPAKUMARAN NAIR (SENIOR ADVOCATE)
ADVS.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 - 682 031.**

**2. SUNANDAPPAN,
S/O.AYAPPAN, 'ANUGRAHA', PUNNAPRA,
PARAVUR VILLAGE, AMPALAPUZHA TALUK,
ALAPPUZHA DISTRICT - 688 004.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2 BY ADVS. SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
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:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

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

**ANNEXURE II: THE TRUE 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.

Msd.

B. KEMAL PASHA, J.

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Crl.M.C. No.1523 of 2015 F
.....

Dated this the 8th day of October, 2015

ORDER

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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 2nd 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-II

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-II 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)

aks/08/10

// True Copy //

PA to Judge