

**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. 1541 of 2015 ()**

**CC 191/2015 of JUDICIAL FIRST CLASS MAGISTRATE - I,KOCHI**

**PETITIONER/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 DIST.**

**BY ADVS.DR.S.GOPAKUMARAN NAIR (SR.)  
SRI.P.A.MOHAMMED SHAH  
SRI.SOORAJ T.ELENJICKAL**

**RESPONDENTS/STATE-COMPLAINANT :**

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

**R1 BY PUBLIC PROSECUTOR SMT. MAYA**

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

**bp**

**Crl.MC.No. 1541 of 2015 ()**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**A1: THE PHOTOCOPY OF THE ORDER PASSED BY THE JUDICIAL FIRST CLASS  
MAGISTRATE COURT-I, KOCHI IN CMP NO.192/2015 DATED 23/02/2015.**

**All: THE PHOTOCOPY OF THE COMPLAINT IN CC NO.291/2015 IN THE FILES OF  
JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOCHI.**

**RESPONDENT(S)' EXHIBITS : NIL.**

**//TRUE COPY//**

**P.A.TO JUDGE**

**bp**

**B. KEMAL PASHA, J.**

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Crl.M.C. No.1541 of 2015 A  
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*Dated this the 8<sup>th</sup> 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 2<sup>nd</sup> accused and the complainant, who is the 2<sup>nd</sup> 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 2<sup>nd</sup> 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.291/2015 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.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*