

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

Crl.MC.No. 2273 of 2015

**CC 175/2007 OF CHIEF JUDICIAL MAGISTRATE COURT, PATHANAMTHITTA
CRIME NO. 182/2005 OF PATHANAMTHITTA POLICE STATION, PATHANAMTITTA**
.....

PETITIONER(S)/SOLE ACCUSED:

**P.J.SUNNY, AGED 55,
S/O.JOHN V.T., PADINJAREMANNIL HOUSE,
VADASSERIKKARA P.O.,
PATHANAMTHITTA DISTRICT - 689 672**

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT(S)/DEFACTO COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031.**
- 2. FEDERAL BANK LIMITED,
VADASSERIKKARA BRANCH,
PATHANAMTHITTA DISTRICT -689 581,
REPRESENTED BY ITS SENIOR MANAGER.**
- 3. ASSISTANT GENERAL MANAGER AND REGIONAL HEAD,
FEDERAL BANK LIMITED, REGIONAL OFFICE,
PATHANAMTHITTA - 689 645.**
- 4. THE FEDERAL BANK LIMITED,
REPRESENTED BY ITS CHAIRMAN, REGISTERED OFFICE, ALUVA,
ERNAKULAM DISTRICT - 683 101.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2-R4 BY ADVS. SRI.A.ANTONY
SMT.LEELAMMA ANTONY**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
12-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 2273 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEXURE-1: COPY OF F.I.R IN CRIME NO.182/05.

ANNEXURE-2: COPY OF FINAL REPORT IN CRIME NO.182/05.

ANNEXURE-3: COPY OF PLAINT IN O.S.NO.215/2007.

**ANNEXURE-4: COPY OF AWARD PASSED BY THE LOK ADALAT IN O.S.NO.215/2007.
IN CRL.M.A. NO.2413/15 IN CRL.M.C. NO.1745/15.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B. KEMAL PASHA, J.

.....
Crl.M.C. No.2273 of 2015 D
.....

Dated this the 12th day of October, 2015

ORDER

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Petitioner is the accused in CC No.175/2007 of the Chief Judicial Magistrate's Court, Pathanamthitta, which has arisen from Crime No.182/2005 of Pathanamthitta Police Station for the offences punishable under Sections 408, 409 and 420 IPC.

2. The allegation against the petitioner is that through false entries in accounts, he has committed criminal breach of trust and caused wrongful loss of ₹14,81,602/- to the Federal Bank Limited.

3. A civil suit was filed by the Bank as OS.215/2007

against the petitioner and another. The matter was referred to the Lok Adalat, Pathanamthitta and through Annexure-4 award, the matter was settled and as per the award, the petitioner has paid an amount of ₹40,90,557/- to the Bank, thereby settling the entire liability.

4. The learned counsel for the Bank has pointed out that another two cases were also registered against the petitioner for similar acts committed at the two other Branches and those two cases were quashed on the basis of Annexure-4 settlement. Learned counsel for the Bank has further submitted that as the Bank has received the entire amounts with interest due from the petitioner, the Bank has no objection in quashing the proceedings against the petitioner.

5. When the matter has been amicably settled and all the proceedings in the two other cases against the petitioner were quashed, all further proceedings in CC No.175/2007 of the Chief Judicial Magistrate's Court,

Pathanamthitta can also be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in CC No.175/2007 of the Chief Judicial Magistrate's Court, Pathanamthitta as against the petitioner are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/12/10

// True Copy //

PA to Judge