

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

Crl.MC.No. 3918 of 2013

CC 371/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MUVATUPUZHA

PETITIONER(S)/ACCUSED:

**ANNAMMA JOSEPH,
AGED 65 YEARS, W/O. THOMAS JOSEPH, PROPRIETRIX,
M/S. ANNS HOUSE OF SWEETS, CATHEDRAL CHURCH ROAD, PALA
KOTTAYAM DISTRICT.**

**BY ADVS.SRI.P.N.SUKUMARAN
SRI.BIJU SUKUMARAN
SRI.K.A.ANAS**

RESPONDENT(S)/STATE AND COMPLAINANT:

- 1. STATE OF KEALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. AXIS BANK LIMITED,
CHICAGO PLAZA, RAJAJI ROAD, ERNAKULAM, KOCHI,
REPRESENTED BY ITS ASSISTANT VICE PRESIDENT MR. ABRAHAM THOMAS
AGED 35 YEARS, S/O. LATE T.A. THOMAS.**

*** ADDL.R3 IMPEADED**

- 3. M/S.ASSET RECONSTRUCTION COMPANY (INDIA) LIMITED,
HAVING ITS REGISTERED OFFICE AT THE RUBY, 10TH FLOOR, NO.29,
SENAPATHY BAPAT MARG, DADAR (W), MUMBAI 400 028 REPRESENTED BY
ITS VICE PRESIDENT, SURESH M.V., AGED 46, S/O.LATE GANADHARAN.**

ADDL.R3 IMPEADED AS PER ORDER DATED 23/10/13 IN CRL.MA.8183/13 IN

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA
R3 BY ADVS. SRI.LAL K.JOSEPH
SRI.V.S.SHIRAZ BAVA**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 16-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 3918 of 2013

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE-1: CERTIFIED COPY OF THE COMPLAINT IN C.C.NO.371/2012 OF JFCM,
MUVATTUPUZHA.**

**ANNEXURE-2: TRUE COPY OF THE LETTER DATED 22.3.2013 ISSUED BY M/S.AXIS
BANK.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Crl.M.C. No. 3918 of 2013

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Dated this the 16th day of October, 2015

ORDER

Annexure-1 complaint filed by alleging the offence under Section 138 of the Negotiable Instruments Act, is under challenge.

2. The parties have settled the matter and a compounding petition has been filed under Section 147 of the Negotiable Instruments Act read with Section 320 Cr.P.C. The composition of the offence is accepted and the offence is treated as compounded. The composition of the offence has the effect of the acquittal, under Section 320(8) Cr.P.C.

In the result, C.C.No.371 of 2012 of the Judicial First Class Magistrate's Court, Muvattupuzha is disposed of by acquitting the accused within the meaning of Section 320(8) Cr.P.C.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/16/10/15

// True Copy //

P.A. To Judge