

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Crl.Rev.Pet.No. 148 of 2012 ()

CRA 23/2010 of ADDL.SESIONS COURT (ADHOC), KOTTAYAM
ST 2747/2009 of J.M.F.C.-II(MOBILE),KOTTAYAM

REVISION PETITIONER/APPELLANT/ACCUSED:

1. JOSE THOMAS & CO.
REPRESENTED BY ITS PARTNER, JOSE THOMAS, THEKKEKARA
VATTAPPALLY, VAZHAPPALLY, CHANGANACHERRY.
2. JOSE THOMAS
THEKKEKKARA, VATTAPPALLY, VAZHAPPILLY
CHANGANACHERRY.

BY ADVS.SRI.PRAVEEN K. JOY
SMT.RENJINI RAJENDRAN

RESPONDENTS/STATE & CMPLAINANT:

1. ANOOP SUDEVAN
S/O.DR.SUDEVAN, PAVANAJYOTHI, MUTTAMBALAM
KOTTAYAM - 686 001.
2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM- 682031.

R1 BY ADV. SRI.K.V.SACHIDANANDAN
R1 BY ADV. SRI.JAYKAR.K.S.
R1 BY ADV. SRI.ARUN.B.VARGHESE
R1 BY ADV. SMT.M.RAMYA RAMACHANDRAN
R2 BY PUBLIC PROSECUTOR, SHRI.R.GITHESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON
28-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Crl.R.P. No.148 of 2012

Dated this the 28th day of October 2015

O R D E R

Crl.M.A. No. 5947 of 2015 has been filed jointly by the revision petitioners and the first respondent herein, who is the complainant before the trial court, praying for recording the composition. This Court has exempted the revision petitioners from payment of any deposit as a condition precedent to compound the offence, as per order dated 28.10.2015 in Crl.M.A. No.6051 of 2015. The offence under Sec. 138 of the N.I.Act is compoundable under Sec. 147 of the N.I.Act. Since the matter has been settled between the parties, it is only just

and proper to permit the parties to compound the offence and accordingly, permission stands granted and the composition stands recorded which is having the effect of acquittal under Section 320 (8) Cr.P.C.

2. In the result, this Revision Petition stands allowed acquitting the revision petitioners under section 320(8) Cr.P.C.

The revision petitioners are entitled to reimbursement of the amount, if any, deposited by them before the court below in connection with this case.

Sd/
B.SUDHEENDRA KUMAR,
JUDGE

dl

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PA to Judge