

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Crl.Rev.Pet.No. 408 of 2012 ()

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AGAINST THE JUDGMENT IN CRA 14/2011 of ADDL.DISTRICT COURT-  
I,MAVELIKKARA DATED 23-12-2011

AGAINST THE JUDGMENT IN CC 613/2008 of J.M.F.C.I, HARIPAD  
DATED 21-12-2010

REVISION PETITIONER(S)/APPELLANT/ACCUSED:

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PRADEEP @ UNNI  
S/O.SURENDRAN, AMBADIYIL VEEDU  
EAST OF NEDIYATHIKKAL DEVI TEMPLE  
THAMARAKULAM VILLAGE.

BY ADV. SRI.V.S.THOSHIN

RESPONDENT(S)/RESPONDENT/COMPLAINANT:

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STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.

ADDL. R2: SUJATHA, AGED 47 YEARS,  
W/O. RAVEENDRAN, KOLLAMPARAMBIL VEETIL,  
WARD V, KARUVATTA, ALAPPUZHA  
(Addl. R2 is impleaded as per order dated 23-09-2015  
in Crl.M.A. No. 5209 of 2015 in Crl.R.P. No. 408 of  
2012)

RADDL.2 BY ADV. SRI.JOHN THITHEEMOS  
BY PUBLIC PROSECUTOR R. GITHESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY  
HEARD ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

B.SUDHEENDRA KUMAR, J.

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Crl.R.P. No. 408 of 2012

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Dated this the 28<sup>th</sup> day of September, 2015

ORDER

Crl.M.A. No. 5249 of 2015 has been filed jointly by the revision petitioner herein and the 2<sup>nd</sup> respondent, who is the de facto complainant in C.C. No. 613 of 2008 on the files of the Court of the Judicial Magistrate of the First Class-I, Haripad praying for recording the composition. The offence alleged is the offence under Section 379 of IPC, which is compoundable under Section 320 (b) Cr.P.C. There is no material before the court to show that the revision petitioner has been convicted in any other offence. It has been submitted by the learned counsel for the 2<sup>nd</sup> respondent that this petition has been filed voluntarily by the 2<sup>nd</sup> respondent.

2. Considering the facts circumstances of the case including the fact that the present petition has been filed voluntarily by the parties, I am inclined to grant permission to compound the offence. Accordingly, permission stands granted and the composition stands recorded, which is having the effect of acquittal under section 320 (8) of Cr.P.C.

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

**Sd/- B.SUDHEENDRA KUMAR  
JUDGE**

ani/

/true copy/

P.S. to Judge