

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Crl.Rev.Pet.No. 82 of 2013 ()

Crl.A 552/2010 of ADDL.DISTRICT COURT (ADHOC), MAVELIKKARA
CC 1241/2008 of J.M.F.C.-I, CHENGANNUR

REVISION PETITIONER/APPELLANT/ ACCUSED:

PRADEEP @ UNNI, AGED 30 YEARS
S/O.SURENDRAN, AMBADIYIL VEEDU, THAMARAKULAM EAST
THAMARAKULAM VILLAGE, MAVELIKKARA TALUK
ALAPPUZHA DISTRICT.

BY ADV. SRI.V.S.THOSHIN

RESPONDENT/COMPLAINANT/STATE:

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING THE SUB INSPECTOR OF POLICE
VENMONY POLICE STATION, ALAPPUZHA DISTRICT
PIN 689509.

ADDL.2 JESSY KURIAN, AGED 49 YEARS
W/O.KURIAN C. CHERIYAN, CHENGAL MEDAY8IL
KODUKULANJI MURI, ALA, CHENGANNUR

IS IMPEADED AS ADDL.2ND RESPONDENT AS PER THE ORDER DT.11.11.2015
IN CRL.M.A.6250/2015 IN CRL.R.P.82/2013

RADDL.2 BY ADV. SRI.JOHN THITHEEMOS
R1 BY PUBLIC PROSECUTOR, SHRI.R.GITHESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON
20-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Crl.R.P. No.82 of 2013

Dated this the 20th day of November 2015

O R D E R

Crl.M.A. No.6251 of 2015 has been filed by the learned counsel for the revision petitioner praying for granting permission to compound the offence. Crl.M.A. No.6446 of 2015 has been jointly filed by the revision petitioner and the 2nd respondent, who is the *de-facto complainant* before the court below, with the signature of the learned advocates concerned, praying for recording the composition. The offence involved in this case is the offence under Section 379 I.P.C., which is compoundable under Section 320(2) of the Code. Having gone through

the averments in the petition, I am satisfied that this petition has been voluntarily filed by the parties as the matter has been settled between the parties. There is no material before the court to indicate that the revision petitioner was previously convicted in any other offence. Since the matter has been settled between the parties, I am of the view that it is only just and proper to permit the parties to compound the offence. 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 petitioner under section 320(8) Cr.P.C.

Sd/-

**B.SUDHEENDRA KUMAR,
JUDGE**

dl/21.11.2015