

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Cr1.Rev.Pet.No. 3325 of 2009 ()

Cr1.A 286/2008 OF THE ADDITIONAL SESSIONS COURT (ADHOC-I), ERNAKULAM

CC 814/2003 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I, ALUVA

REVISION PETITIONER/COMPLAINANT:

SUJEENA SHUKKOOR,
W/O.SHUKKOOR, AGED 30 YEARS, CHAKKALAKKAL,
KARUMALLOOR KARA, KARUMALLOOR VILLAGE, PARUR TALUK
ERNAKULAM DISTRICT.

BY ADV. SRI.S.RAJEEV

RESPONDENT(S)/ACCUSED:

1. K.S.MUHAMMED, AGED 52 YEARS,
S/O.SAIDU MUHAMMED, KARIMBINAKKAL HOUSE, ALLAPRA
VENGOLA VILLAGE, VENGOLA KARA, KUNNATHUNADU TALUK
PERUMBAVOOR, ERNAKULAM DISTRICT.
2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

R1 BY ADV. SRI.VARGHESE C.KURIAKOSE

R1 BY ADV. SRI.ADEEP ANWAR

R2 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

B. SUDHEENDRA KUMAR, J.

Crl.R.P. No. 3325 of 2009

Dated this the 21st day of December, 2015

ORDER

In this revision petition, the complainant before the court below challenges the sentence awarded by the appellate court.

2. Heard.

3. The challenge is only with regard to the default clause.

4. The trial court sentenced the revision petitioner to simple imprisonment for one year and to pay a compensation of Rs.6,00,000/-. The appellate court modified and reduced the sentence to imprisonment till the rising of the court and a compensation of Rs.5,80,000/- to the complainant under Section 357 (3) Cr.P.C. No default clause was incorporated by the appellate court. In the said circumstances, this revision petition has been filed.

5. The first respondent in this revision petition filed

Crl.R.P.No.291 of 2010. In the said Crl.R.P., this Court directed the revision petitioner to pay a compensation of Rs.6,00,000/- . The revision petitioner paid Rs.6,00,000/- before the trial court on 18.12.2015 and produced the copy of the receipt for my perusal. Since the first respondent had already deposited the amount before the trial court, the learned counsel for the revision petitioner has not pressed for hearing this revision petitioner on merits. In the said circumstances, no order is required in this revision petition.

In the result, this revision petition stands closed.

Needless to say that the revision petitioner is entitled to get the entire amount deposited by the first respondent before the trial court under Section 357 (3) Cr.P.C. on filing application in this regard before the court below.

Sd/-

B. SUDHEENDRA KUMAR
JUDGE

ScI/21.12.2015

True Copy

PA to Judge