

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

Crl.Rev.Pet.No. 689 of 2015

**AGAINST THE JUDGMENT DATED 22.02.2011 PASSED BY THE ADDITIONAL
DISTRICT COURT & SESSIONS (ADHOC) FAST TRACK COURT- III,
PATHANAMTHITTA IN CRIMINAL APPEAL NO.136/2010**

**AGAINST THE JUDGMENT IN C.C.NO.541/2007 OF JUDICIAL FIRST CLASS
MAGISTRATE COURT-I, PATHANAMTHITTA**

REVISION PETITIONER(S)/APPELLANT/ACCUSED :

**PRABHAKARAN, AGED 45 YEARS,
S/O.PADMANABHAN, KANIYAMPARAMBIL PADMAVILASAM,
MANNADI KALAYIKK KIZHAKKUMURI, KADAMPANAD VILLAGE,
ADOOR.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S)/COMPLAINANT/STATE :

**1. GEETHA SURESH,
PURAMETHIL VEEDU MANNAKARA CHIRA MURI, KAVUBHAGAM,
REPRESENTED BY HER P/A HOLDER SURESH KUMAR,
S/O. KRISHNAN UDAYANA MANNIL, AZHOOR MURI,
PATHANAMTHITTA- 689 645.**

**2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

**R1 BY ADV. SRI.SERGI JOSEPH THOMAS
R2 BY PUBLIC PROSECUTOR SRI.JIBU.P.THOMAS**

**THIS CRIMINAL REVISION PETITION HAVING COME UP FOR
ADMISSION ON 15-06-2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:**

B.KEMAL PASHA, J.

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CRL.R.P. No.689 of 2015

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Dated this the 15th day of June, 2015

ORDER

Petitioner was convicted and sentenced by the Judicial First Class Magistrate's Court-I, Pathanamthitta in C.C.No.541 of 2007 for the offence under Section 138 of the Negotiable Instruments Act. On appeal, the sentence was modified in Crl.Appeal No.136 of 2010 by the Additional Sessions Court-III, Pathanamthitta.

2. Presently the matter has been settled between the parties and the complainant has compounded the matter under Section 147 of the Negotiable Instruments Act. A compounding petition has been filed under Section 147 of the Negotiable Instruments Act. When the matter has been amicably settled between the parties and the offence has

been compounded under Section 147 of the Negotiable Instruments Act, the composition can be accepted under Section 147 of the Negotiable Instruments Act read with Section 320 (8) of the Code of Criminal Procedure. The said composition will have the effect of an acquittal.

In the result, this Crl.R.P. is allowed. The offence is compounded and thereby the petitioner is acquitted under Section 320(8) of the Code of Criminal Procedure.

Sd/-

B. KEMAL PASHA
JUDGE

DSV/15/6/15