

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

Cr1.Rev.Pet.No. 2050 of 2010 ()

JUDGMENT IN Cr1.A 518/2009 OF ADDITIONAL SESSIONS COURT (ADHOC-1),
ERNAKULAM

JUDGMENT IN CC 1287/2007 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, KOCHI

REVISION PETITIONER(S)/APPELLANT/ACCUSED:

KUNJAPPAN, S/O. ANTHONY, ARAYAKULATH
VEEDU, PUTHANKADAPPURAM, NAYARAMBALAM P.O.
ERNAKULAM.

BY ADVS.SRI.V.K.UNNIKRISHNAN
SRI.A.K.RADHAKRISHNAN

RESPONDENT/STATE:

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

REFACTO COMPLAINANT BY ADV. SRI.K.P.UNNIKRISHNAN (ELOOR)
R BY PUBLIC PROSECUTOR SRI.R.GITESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 02-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

B. SUDHEENDRA KUMAR, J.

Crl. R.P. No.2050 of 2010

Dated this the 2nd day of November, 2015

ORDER

Crl.M.A.No.5963 of 2015 has been filed by PW1, the injured in C.C.No.1287 of 2007 on the files of the Court of the Judicial Magistrate of First Class-I, Kochi, praying for granting permission to compound the offence. Crl.M.A.No.5963 of 2015 has been jointly filed by PW1 and the revision petitioner with the signature of the learned advocates on both sides, praying for recording the composition. The offence involved in this case is the offence under Section 325 IPC, which is compoundable under Section 320 (2) Cr.P.C. with the permission of the court. I am satisfied that the matter has been settled between the parties voluntarily. There is no material before the court to indicate that the revision petitioner is involved in any other offence of similar nature. Considering the facts and circumstances of the case, I am of the view that permission can be granted 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.

Needless to say that the revision petitioner is entitled to refund of the amount, if any, deposited by the revision petitioner before the trial court in this case, on filing application in this regard before the trial court.

Sd/-
B. SUDHEENDRA KUMAR
JUDGE

Scl/03.11.2015

True Copy

PA to Judge