

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Crl.Rev.Pet.No. 1125 of 2015 ()

AGAINST THE JUDGMENT DATED 31-7-2012 IN CRA 10/2010 of
ADDL. SESSIONS JUDGE - II, THIRUVANANTHAPURAM

AGAINST THE JUDGMENT IN ST 1006/2007 ON THE FILES OF THE
COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS -II
VARKALA DATED 05-12-2009

REVISION PETITIONER(S)/PETITIONER/APPELLANT/ACCUSED :

AJEEBA MEERA SAHIB
D/O. MEERA SAHIB, KALLUMPURAYIDOM, PETTAH
PATHANAMTHITTA.

BY ADVS.SRI.M.T.SURESHKUMAR
SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN
SMT.SMITHA PHILIPOSE

RESPONDENT(S)/RESPONDENTS/COMPLAINANT:

1. LAILA SHIHABUDEEN
SHAMLA VIHAR, VILABHAGOM, NEDUGANDA P.O.
CHIRAYINKEEZH TALUK, THIRUVANANTHAPURAM-695 307.

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

R1 BY ADV. SRI.JOBY BHASKAR
BY PUBLIC PROSECUTOR SRI. SREEJITH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY
HEARD ON 10-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

B.SUDHEENDRA KUMAR, J.

.....

Crl.R.P. No. 1125 of 2015

.....

Dated this the 11th day of September, 2015

ORDER

Crl.M.A. No. 5018 of 2015 has been filed jointly by the petitioner and the 1st respondent, who is the complainant before the trial court praying for recording the composition. It is stated that the subject-matter of the dispute has been settled between the parties. The revision petitioner deposited an amount of Rs.8,000/- (Rupees eight thousand only) before the Kerala State Legal Service Authority as directed by this Court as per Order dated 18.08.2015 in Crl.M.A.4614 of 2015. The offence under Section 138 of the Negotiable Instruments Act, 1881 ("the N.I.Act for short) is compoundable under Section

147 of the N.I Act. 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) of Cr.P.C.

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

Needless to say that the 1st respondent is granted permission to withdraw the amount, if any, deposited by the petitioner before the trial court in this case, as agreed by both parties in the compromise petition, on filing appropriate application before the trial court.

B.SUDHEENDRA KUMAR
JUDGE

ani/