

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

Crl.Rev.Pet.No. 1234 of 2015 ()

JUDGMENT IN CRA 570/2007 OF THE ADDITIONAL SESSIONS COURT, FAST TRACK
COURT-II, ALAPPUZHA DATED 14-01-2008

JUDGMENT IN CC 2/2006 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II
ALAPPUZHA DATED 04-10-2007

REVISION PETITIONER/APPELLANT/ACCUSED:

JOLLY JACOB
S/O.CHACKO, PUTHENPURAYIL HOUSE, RAMANKARY P.O.
ALAPPUZHA DISTRICT.

BY ADVS.SRI.JOMY GEORGE
SRI.SEBASTIAN THOMAS
SRI.P.REJINARK
SMT.K.B.SONY
SRI.DEEPAK MOHAN
SMT.A.MINI JOSEPH
KUM.M .ANJU THOMAS

RESPONDENTS/RESPONDENTS/COMPLAINANT & STATE:

1. JOB JOSEPH
CHIRAYIL HOUSE, KANNADY P.O., PULINCUNNU
ALAPPUZHA DISTRICT- 688002.
2. THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

R1 BY ADV. SMT.C.G.ARUNDHATHI
R BY PUBLIC PROSECUTOR SRI. R. GITHESH

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 13-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

B. SUDHEENDRA KUMAR, J.

Crl.R.P. No.1234 of 2015

Dated this the 13th day of October, 2015.

ORDER

C.M.A.No.5474 of 2015 has been filed jointly by the revision petitioner and the first respondent who is the complainant before the court below praying for granting permission to compound the offence.

2. Since the offence under Section 138 of the Negotiable Instruments Act is compoundable under Section 147 of the Negotiable Instruments Act, this Court directed the revision petitioner to deposit an amount of ₹1,000/- before the Kerala State Legal Services Authority as a condition precedent to grant permission to compound the offence as held by the Apex Court in **Damodar S. Prabhu v. Sayed Babalal [2010 (2) KLT 587 (SC)]**. The revision petitioner deposited the amount as directed by this Court.

3. Since the parties have settled the matter, I am of the view that it is just and proper to grant permission to 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.

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

Sd/-
B. SUDHEENDRA KUMAR
JUDGE

Scl.

True Copy

PA to Judge