

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Crl.Rev.Pet.No. 1401 of 2015 ()

JUDGMENT IN Crl.A 667/2012 OF THE ADDITIONAL SESSIONS COURT, FAST
TRACK (ADHOC-I), KOZHIKODE

JUDGMENT IN CC 525/2009 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-IV, KOZHIKODE

REVISION PETITIONER/APPELLANT/ACCUSED:

MANOJAN K., AGED 47 YEARS,
S/O. GOPALAN, KIZHAKKEYIL HOUSE, VATTOLI P.O,
KAKKATTIL, KOZHIKODE DISTRICT, PIN -673 507.

BY ADVS.SRI.ABU MATHEW
SRI.AJU MATHEW
SRI.BYJU PUTHIYADATH MEETHAL

RESPONDENTS/1ST RESPONDENT/COMPLAINANT AND STATE:

1. M/S. SHRIRAM TRANSPORT FINANCE CO. LTD., CALICUT
SREEPADAM BUILDING, CHEROOTTY ROAD, KOZHIKODE - 32,
PRESENTLY REPRESENTED BY ITS POWER OF ATTORNEY HOLDER
MR. MADHUSOODHANAN M.K, S/O. PADMANABHAN NAIR.
2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI- 682 031.

R2 BY ADV. SRI.BIJIMON C.CHERIAN
R BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

B. SUDHEENDRA KUMAR, J.

Crl.R.P. No.1401 of 2015

Dated this the 3rd day of November, 2015

ORDER

Crl.M.A.No.6172 of 2015 has been filed jointly by the revision petitioner and the first respondent in the revision petition, who is the complainant before the court below, praying for recording the composition.

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/04.11.2015

True Copy

PA to Judge