

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

Crl.Rev.Pet.No. 1621 of 2015 ()

AGAINST THE JUDGMENT IN CRA 587/2011 of ADDL.SESIONS COURT-I,MAVELIKKARA
DATED 05-02-2014

AGAINST THE JUDGMENT IN CC 11/2011 of JUDICIAL FIRST CLASS MAGISTRATE COURT-
III, MAVELIKKARA DATED 22-12-2011

REVISION PETITIONER/APPELLANT/ACCUSED:

MUHAMMED HANEEFA,
PROPRIETOR, SEKHA JEWELLERY, CHARUMOOD
ALAPPUZHA.

BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL

RESPONDENTS/RESPONDENT/COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
 2. FATHIMA BEEVI,
W/O.IBRAHIM RAWTHER, SHAJI MANSIL, CHUNNAKKARA
REPRESENTED BY POWER OF ATTORNEY HOLDER K.M.ABDUL KAREEM KUTTY
ASIF MANZIL, CHUNNAKKARA, PIN 688001.

R2 BY ADV.SMT.T.M.BINITHA
R BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON
04-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B. SUDHEENDRA KUMAR, J.

Crl.R.P.No.1621 of 2015

Dated this the 4th day of December, 2015.

O R D E R

Crl.M.A.No.7027 of 2015 has been filed by the learned counsel for the revision petitioner praying for granting permission to compound the offence. Crl.M.A.No.6982 of 2015 has been jointly filed by the revision petitioner and the second respondent herein, who is the complainant before the trial court, praying for recording the composition. Since the offence under Section 138 of the Negotiable Instruments Act ('N.I.Act' for short) is compoundable under Section 147 of the N.I.Act, this Court directed the revision petitioner to deposit an amount of Rs.1,000/- (Rupees One thousand only) 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 said amount and produced the receipt. Since the matter has been settled between the parties, 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 the Code.

In the result, this revision petition stands allowed acquitting the revision petitioner under Section 320(8) of the Code.

Sd/-
B. SUDHEENDRA KUMAR,
JUDGE

AV