

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Crl.Rev.Pet.No. 1732 of 2015 ()

Crl.A 190/2013 of ADDL.SESIONS COURT-1,KOTTAYAM
ST 82/2012 of J.M.F.C - II, CHENGANACHERRY

REVISION PETITIONER(S):

ANILKUMAR, S/O.PEETHAMBARAN PILLAI
KUNNEL PUTHENPURAKKAL
CHOZHAYAKKADU KARA
PANACHIKKADU VILLAGE, KOTTAYAM DISTRICT.

BY ADVS.SRI.SUNIL CYRIAC
SMT.MABLE.C.KURIAN

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM PIN 682 031
2. T.P.MADHAVAN, S/O.KRISHNANKUTTY
KOCHUPARAMBIL, PAPPANCHIRA PO
KURICHY VILLAGE, KOTTAYAM DISTRICT.

R2 BY ADV. SRI.R.SUDHEER
R1 BY PUBLIC PROSECUTOR, SHRI.R.GITHESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON
21-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Crl.R.P.No..1732 of 2015

Dated this the 21st day of December 2015

O R D E R

Crl.M.A. No.7424 of 2015 has been filed jointly by the revision petitioner and the second respondent herein, who is the complainant before the trial court, praying for granting permission for recording the composition. As directed by this Court, the revision petitioner deposited an amount of Rs.1,000/- before the Kerala State Legal Services Authority as a condition precedent to compound the offence as held by the Apex Court in **Damodar S. Prabhu v. Sayed Babalal** [2010 (2) KLT 587 (SC)].

Since the offence under Sec. 138 of the N.I.Act is compoundable under Sec. 147 of the N.I.Act, I am of the view that permission can be granted to compound the offence and accordingly, permission stands granted and the composition stands recorded which is having the effect of acquittal under Section 320 (8) Cr.P.C.

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

sd/-

**B.SUDHEENDRA KUMAR,
JUDGE**

dl/21.12..2015

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PA to Judge