

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

Crl.Rev.Pet.No. 1418 of 2014 ()

Crl.A 301/2011 of ADDL. SESSIONS COURT - III, MANJERI
ST 1883/2009 of J.M.F.C.-II, PERINTHALMANNA

REVISION PETITIONER/APPELLANT/ACCUSED:

HAMZA P.
S/O. AHMEDKUTTY, PERUNDA HOUSE, PALLISSERI
ANCHACHAVIDI, MALAPPURAM DIST.

BY ADV. SRI.P.K.MOHAMED JAMEEL

RESPONDENTS/RESPONDENTS/COMPLAINANTS:

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1. C.K. MOOSA
S/O. ALAVIKUTTY, KALLANKUNNU HOUSE, THRIKAIPATTA
KALIKAVU, NILAMBUR TALUK, MALAPPURAM DISTRICT.
 2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

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

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 06-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Crl.R.P. No.1418 of 2014

Dated this the 6th day of November 2015

O R D E R

Crl.M.A. No.5425 of 2015 has been filed jointly by the revision petitioner and the first respondent herein, who is the complainant before the trial court praying for permitting the parties to compound the offence. The offence under Sec. 138 of the N.I.Act is compoundable under Sec. 147 of the N.I.Act. The revision petitioner deposited an amount of Rs.2,000/- before the Kerala State Legal Services Authority as directed by this Court as per order dated 7.10.2015 in Crl.M.A. No.5558 of 2015, 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 parties have settled the matter, I am of the view that it is just and proper to permit the parties 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/6.11.2015

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PA to Judge