

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

Crl.Rev.Pet.No. 2907 of 2011 ()

Crl.A 480/2009 of ADDL.SESIONS COURT (ADHOC)-II, ERNAKULAM
CC 85/2004 of J.M.F.C.,PERUMBAVOOR

REVISION PETITIONER/APPELLANT/ACCUSED:

NAJEEB, S/O.PAREETH
AGED 37 YEARS
PARAMBIL HOUSE
MUDICKALKARA
MARAMBILLY VILLAGE
ERNAKULAM DISTRICT

BY ADV. SRI.ANIL K.MOHAMMED

RESPONDENTS-RESPONDENT/COMPLAINANT:

STATE REP.BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM

BY PUBLIC PROSECUTOR, SHRI.V.S.SREEJITH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON
02-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Crl.R.P.No.2907 of 2011

Dated this the 2nd day of December 2015

O R D E R

Crl.M.A. No.6886 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.6620 of 2015 has been filed by the learned counsel for the revision petitioner praying for recording the composition. PW1 herein is the *de-facto complainant* in C.C. No.85 of 2004 on the files of the Court of the Judicial Magistrate of First Class, Perumbavoor. The revision petitioner is the accused in the said case. PW1 has filed an affidavit in support of Crl.M.A. No.6620 of 2015 stating

that the matter has been settled between the parties and that she has no further grievance against the revision petitioner. The offence alleged in this case is the offence under Section 379 of I.P.C., which is compoundable under Section 320(2) of the Code. Since the matter has been settled between the parties, I am of the view that it is only just and proper to grant permission 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/5.12.2015

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PA to Judge