

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937H

Crl.Rev.Pet.No. 1727 of 2014 ()

AGAINST THE JUDGMENT IN CC 613/2006 of J.M.F.C.,MALAPPURAM DATED
30-10-2010

AGAINST THE JUDGMENT IN CRA 352/2010 of ADDL. SESSIONS COURT -
II, MANJERI 17-07-2014

REVISION PETITIONER(S)/APPELLANT/ACCUSED:-:

M J DEVAKI
W/O.RAJAN, VYSHAK HOUSE, KARIMBA P.O.
MANNARKAD TALUK.

BY ADV. SRI.ABDUL JALEEL.A

RESPONDENT(S)/RESPONDENTS/RESPONDENTS/COMPLAINANT:-:

1. K ABDUL AZEES, AGED 51 YEARS
S/O.MOIDUNNY HAJI, KUZHIKKATTIL HOSUE, VELLILA P.O.
MANKADA, MALAPPURAM - 676 505.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

R1 BY ADV. SRI.K.A.SALIL NARAYANAN
R2 BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 27-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

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Crl.R.P. No. 1727 of 2014

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Dated this the 27th day of October, 2015

ORDER

Crl.M.A. No. 4829 of 2015 has been filed jointly by the revision petitioner and the 1st respondent herein, who is the complainant before the court below praying for granting permission to compound the offence. The offence under Section 138 of the Negotiable Instruments Act, 1881 ("the N.I.Act for short) is compoundable under Section 147 of the N.I Act. This Court dispensed with the deposit of money, as a condition precedent to compound the offence, as per order dated 27-10-2015 in Crl.M.A. No. 6014 of 2015.

2. Since the matter has been settled between the parties, I am of the view that 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 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

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P.S. To Judge