

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 30TH MAY 2008 / 9TH JYAISHTA 1930

Crl.Rev.Pet.No. 1404 of 2001(C)

CRA.172/1999 of SESSIONS COURT, KOZHIKOE
CC.19/1998 of JUDL.MAGISTRATE OF FIRST CLASS-I, THAMARASSERY
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REVN. PETITIONER/APPELLANT/ACCUSED:

P.MADHAVAN,
S/O.SANKARAN NAIR,
PANTHAPILAKKAL HOUSE,
KUNNATHORA.P.O.,
KOYILANDY.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS/RESPONDENTS/COMPLAINANT:

1. K.BHASKARAN,
S/O.KANARAN,
KODAKKATTU HOUSE,
ELETTIL.P.O.,
KODUVALLY POLICE STATION.
2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

R1 BY ADV. SRI.P.V.KUNHIKRISHNAN
PUBLIC PROSECUTOR, SRI.C.M.NAZAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 30/05/2008, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.1404 of 2001

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Dated this the 30th day of May, 2008

ORDER

The accused in C.C. No. 19/1998 on the file of the Judicial First Class Magistrate I, Thamarassery for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 4997 of 2008 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE.

css/

V. RAMKUMAR, J.

CRL.R.P. No. of 2008

Dated this the 28th day of May 2008

O R D E R

The accused in C.C. / ST. No.....on the file of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision

petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

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