

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 31ST MARCH 2009 / 10TH CHAITHRA 1931

Crl.Rev.Pet.No. 1158 of 2009()

CRA.381/2006 of ADDL.SESIONS COURT (ADHOC-I), KOTTAYAM
STC. NO. 321/2005 of JUDL.MAGISTRATE OF FIRST CLASS-II,
KANJIRAPPALLY
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REV. PETITIONER/APPELLANT/ACCUSED:-

AJITHKUMAR.R.S.,RAJALAYAM HOUSE,
PONKUNNAM,PROPRIETOR,
OVERSEAS TOURS & TRAVELS,
PONKUNNAM.

BY ADV. MR. K.B.DAYAL

RESPONDENTS/RESPONDENTS/IST RESPONDENT-COMPLAINANT:-

1. PRASANTH M.JOHN, MULAMOOTTIL HOUSE,
PONKUNNAM.

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

ADV. MR. BIJU K. VAVA FOR R1
MR. P.R. JAYAKRISHNAN, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 31/03/2009, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 1158 of 2009

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Dated this the 31st day of March, 2009.

ORDER

The accused in ST.C. No.321 of 2005 on the file of the Judicial First Class Magistrate-II, Kanjirappally 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. 3467 of 2009 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 before the trial court pursuant to the orders, if any, passed by the superior courts shall be refunded to the revision petitioner/accused.

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

Dated this the 31st day of March, 2009.

V. RAMKUMAR, JUDGE.

