



2024:KER:74507

Crl.R.P No.782 of 2024

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

TUESDAY, THE 8<sup>TH</sup> DAY OF OCTOBER 2024 / 16TH ASWINA, 1946

CRL.REV.PET NO. 782 OF 2024

AGAINST THE ORDER/JUDGMENT DATED 10.09.2014 IN CRA NO.351 OF 2013 OF ADDITIONAL SESSIONS COURT-II (SPECIAL), KOTTAYAM, ARISING OUT OF THE ORDER/JUDGMENT DATED 23.04.2013 IN ST NO.141 OF 2012 OF JUDICIAL MAGISTRATE OF FIRST CLASS -II, VAIKOM

REVISION PETITIONER/APPELLANT/ACCUSED:

VASAVAN,  
AGED 61 YEARS,  
S/O ANKAN AREYANPEDIKKAL, CHEMMPU KARA,  
VAIKOM TALUK, KOTTAYAM., PIN - 686608

BY ADV K.BIJU

RESPONDENTS/RESPONDENT 1 AND LRS DECEASED COMPLAINANT

R2/STATE,LRS OF DECEASED COMPLAINANT R2:

- 1 STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, PIN - 682031
- 2 BABYAMMA,  
AGED 64 YEARS,  
W/O LATE K R RAJEDRAN,MADAVASSERRY (H)  
KUNNAKATTUSSERY KARA, VAIKOM VILLAGE,  
VAIKOM TALUK REPRESENTED BY POWER OF ATTORNEY  
HOLDER RAJESH P.R, S/O K.R.RAJENDRAN,  
MADHAVASSERIL, T.V PURAM,VAIKOM TALUK, KOTTAYAM  
DISTRICT, PIN - 686606



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- 3 RAJESH P R,  
S/O LATE K R RAJEDRAN, MADAVASSERRY (H) ,  
KUNNAKATTUSSERY KARA, VAIKOM VILLAGE,  
VAIKOM TALUK, PIN - 686606
- 4 RATHEESH P R,  
S/O LATE K R RAJEDRAN, MADAVASSERRY (H) ,  
KUNNAKATTUSSERY KARA, VAIKOM VILLAGE,  
VAIKOM TALUK REPRESENTED BY POWER OF ATTORNEY  
HOLDER RAJESH P.R, S/O K.R.RAJENDRAN  
MADHAVASSERIL, T.V.PURAM P.O, VAIKOM TALUK,  
KOTTATAM DISTRICT, PIN - 686606
- 5 RAJI M R,  
D/O LATE K R RAJEDRAN, MADAVASSERRY (H) ,  
KUNNAKATTUSSERY KARA, VAIKOM VILLAGE,  
VAIKOM TALUK REPRESENTED BY POWER OF ATTORNEY  
HOLDER RAJESH P.R, S/O K.R.RAJENDRAN,  
MADHAVASSERIL, T.V.PURAM P.O, VAIKOM TALUK  
KOTTAYAM DISTRICT, PIN - 686606

BY ADVS.  
K.R.SAJITH  
SHYLAJA VARGHESE (K/855/1992)  
RESHMA MOHAN (K/1171/2021)  
SRI.G.SUDHEER, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR  
ADMISSION ON 08.10.2024, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:



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**K.BABU, J.****Crl.R.P No.782 of 2024****Dated this the 8<sup>th</sup> day of October, 2024****ORDER**

The challenge in this Criminal Revision Petition is to the judgment dated 23.04.2013 in S.T No.141 of 2012 of the Judicial First Class Magistrate Court-II, Vaikom, and confirmed by the Additional Sessions Court-II (Special), Kottayam, in the judgment dated 10.09.2014 in Crl.Appeal No.351 of 2013.

2. The revision petitioner has been convicted under Section 138 of the Negotiable Instruments Act, 1881, and sentenced to undergo imprisonment till rising of the Court and pay an amount of Rs.96,000/- as compensation to the complainant.

3. One of the legal heirs of the complainant/respondent No.3 filed an application under Section 147 of the NI Act seeking composition of the offence.

4. I have gone through the application seeking composition.



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It is stated that the entire dispute has been settled and the legal heirs of the complainant have no grievance against the revision petitioner/accused. I find no reason to refuse the composition. The composition shall have the effect of acquittal.

5. The judgment dated 23.04.2013 in S.T No.141 of 2012 of the Judicial First Class Magistrate Court-II, Vaikom, and confirmed by the Additional Sessions Court-II (Special), Kottayam, in the judgment dated 10.09.2014 in Crl.Appeal No.351 of 2013 stands set aside. The accused is acquitted of the offence alleged.

The Criminal Revision Petition is disposed of accordingly.

Sd/-  
**K.BABU,**  
**JUDGE**

KAS