
(2024) 12 KL CK 0009

High Court Of Kerala

Case No: Criminal Revision Petition No. 108 OF 2023

Suresh Kumar

APPELLANT

Vs

P K Vijayakumar

RESPONDENT

Date of Decision: Dec. 2, 2024

Acts Referred:

Code of Criminal Procedure, 1973 " Section 357(1), 357(3)#Negotiable Instruments Act, 1881 " Section 138, 138(b), 139

Citation: (2024) 12 KL CK 0009

Hon'ble Judges: Dr. Kauser Edappagath, J

Bench: Single Bench

Advocate: M.T.Sureshkumar, Darsan Somanath, Manjusha K, Sreelakshmi Sabu, P.R.Jayasankar, K.S.Sajeev Kumar, Devipriya Sathyaseelan, Bismi T.A., Mohandas K.Chacko, Sukesan P.S, Ramesh.P.N., Sudheer G

Final Decision: Allowed

Judgement

3. Before the trial court, the complainant was examined as PW1 and Exts. P1 to P5 were marked. No evidence was adduced by the revisio

petitioner/accused. After trial, the trial court found that the revision petitioner has committed offence punishable under Section 138 of the NI Act and

he was convicted and sentenced to undergo simple imprisonment for two months and to pay a fine of â,17,00,000/-, in default, to suffer simple

imprisonment for thirty days. The fine amount, if realised, was ordered to be paid to the 1st respondent as compensation under Section 357(1) of the

Cr.P.C. The revision petitioner challenged the said judgment before the appellate court in Crl.A.No.70/2018. The appellate court dismissed the appea

confirming the conviction and sentence. This criminal revision petition has been filed challenging both the judgments of the trial court and the appellate court.