

**(2021) 02 KL CK 0009**

**In the High Court Of Kerala**

**Case No :** Criminal Revision Petition No. 200 Of 2012

Juvaria Salim

APPELLANT

Vs

Meenachil Rubber Marketing Processing Co-Operative Society  
Ltd And Ors

RESPONDENT

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**Date of Decision :** 19-02-2021

**Acts Referred:**

Negotiable Instruments Act, 1881 — Section 138

**Citation :** (2021) 02 KL CK 0009

**Hon'ble Judges :** B. Sudheendra Kumar, J

**Bench :** Single Bench

**Advocate :** T.A. Unnikrishnan, K.S.Praveen, K.Satheesh Kumar, M. K. Pushpalatha

**Final Decision :** Dismissed

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## **Judgement**

1. The revision petitioner was convicted and sentenced by the courts below under Section 138 of the Negotiable Instruments Act (in short, 'the N.I.Act').

2. Heard.

3. The courts below correctly appreciated the oral and documentary evidence and concurrently found that the revision petitioner executed Ext.P1

cheque as contemplated under Section 138 of the N.I.Act and committed the offence under Section 138 of the N.I.Act. No material has been brought

to the notice of this Court to indicate that the appreciation of evidence or the concurrent finding of conviction by the courts below was perverse or

incorrect. In the said circumstances, the concurrent finding of conviction under Section 138 of the N.I.Act by the courts below does not warrant any

interference by this Court. The sentence awarded by the appellate court also

does not warrant any interference by this Court.

In the result, this Revision Petition stands dismissed. However, the revision petitioner is granted seven months to pay the fine/compensation as

requested by the learned counsel for the revision petitioner.

The revision petitioner shall surrender before the trial court on 05.04.2021 to suffer the sentence of imprisonment till the rising of the court awarded by

the appellate court.