
(2021) 04 KL CK 0050

In the High Court Of Kerala

Case No : Criminal Revision Petition No. 180 Of 2021

Selvaraj

APPELLANT

Vs

Syed Ibrahim And Ors

RESPONDENT

Date of Decision : 08-04-2021

Acts Referred:

Prevention Of Corruption Act, 1988 — Section 138

Citation : (2021) 04 KL CK 0050

Hon'ble Judges : B. Sudheendra Kumar, J

Bench : Single Bench

Advocate : Nireesh Mathew, Nireesh Mathew

Final Decision : Dismissed

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. Service is complete. However, there is no appearance for the first respondent.
3. Heard the learned counsel for the revision petitioner and the learned Senior Public Prosecutor.
4. 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 by the courts below under Section 138 of the N.I.Act does not warrant any interference by this Court. The sentence awarded by the courts below also does not warrant any interference by this Court.

In the result, this Criminal Revision Petition stands dismissed. However, the

revision petitioner is granted ten months to pay the fine/compensation as requested by the learned counsel for the revision petitioner.