

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.D.RAJAN

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

CRL.A.No. 463 of 2002 ()

AGAINST THE JUDGMENT IN Cr1.MC 5676/2002 of HIGH COURT OF KERALA
DATED 21-06-2002

AGAINST THE JUDGMENT IN CC 277/1999 of J.M.F.C., CHAVAKKAD DATED
15-02-2002

APPELLANT/COMPLAINANT:

MUBARACK, S/O.MUKIATH ABDUL MAJEED,
VATANAPPILLY VILLAGE, VATANAPPILY DESOM
CHAVAKKAD TALUK.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S)/RESPONDENT & STATE:

1. SAJI, S/O.ERAVIYIL ZAVIER,
OLLUR, AMSOM ADESOM, THRISSUR TALUK.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HONOURABLE HIGH COURT OF KERALA

BY PP SMT SAREENA GEORGE

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON 28-07-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.D.RAJAN, J

.....
Crl. A.No. 463 of 2002

.....
Dated 28th July, 2015

JUDGMENT

This appeal is preferred against the judgment in C.C.No.277 of 1999 of Judicial First Class Magistrate, Chavakkad which was filed under Section 138 of N.I.Act. The case was posted on 15.2.2002 for evidence. Appellant/complainant failed to appear before court. Therefore, accused/first respondent was acquitted on 15.2.2002. After filing this appeal, this court directed the appellant to give notice to the first respondent. After several directions issued by this court, appellant failed to serve notice on the first respondent.

2. Today, when the case was called, learned counsel submitted that he will stake steps. But this court on 07.07.2015 directed to serve notice on a senior member of the family. That was also not complied by the appellant. In the circumstances, this appeal is dismissed for non prosecution.

P.D.RAJAN, JUDGE

lgk

P.D.RAJAN, J

CRL.A.463/2002

JUDGMENT

28.7.2015