

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.D.RAJAN

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

CRL.A.No. 726 of 2006 ()

AGAINST THE JUDGMENT IN ST 874/2000 of J.M.F.C., PERUMBAVOOR DATED
12-04-2005

APPELLANT/COMPLAINANT:

PERUMBAVOOR MUNICIPALITY,
REPRESENTED BY REVENUE OFFICER
PERUMBAVOOR MUNICIPALITY, PERUMBAVOOR.

BY ADV. SRI.V.M.KURIAN

RESPONDENT (S) /ACCUSED/RESPONDENT::

1. M.B. AZEEZ,
MUNDETH HOUSE, KANDATHARA, ALLAPRA P.O.
PERUMBAVOOR

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

R, BY ADV. PUBLIC PROSECUTOR SMT SEENA RAMAKRISHNAN

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON
08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.D.RAJAN, J

.....
Crl.A.No.726 of 2006

.....
Dated 8th July, 2015

JUDGMENT

This appeal is preferred against the judgment in S.T.No.875 of 2000 of Judicial Magistrate of First Class, Perumbavoor which was filed by the Revenue Officer, Perumbavoor Municipality against the 1st respondent alleging that there was some arrears due to the appellant. The case was filed on 31.1.2000 and the appellant Municipality was directed to take steps on several occasions. In spite of repeated directions given, no response was forthcoming from the side of the appellant. In the circumstance, the respondent was acquitted under Section 256(1) Cr.P.C.

2. Leave was granted on 21.3.2006. After this, specific direction was given to the appellant to take steps. Even after specific direction, he has not cared to take steps against the respondent. Even though the legal fight started in the year 1997, no response from the side of the Municipality in prosecuting the case. There is no merit in proceeding with the matter. Therefore the appeal is dismissed for non prosecution.

P.D.RAJAN, JUDGE

lgk