

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.D.RAJAN

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

CRL.A.No. 690 of 2008 ()

AGAINST THE JUDGMENT IN CC 79/2001 of JUDL. MAGI. OF FIRST CLASS-III,
KOTTAYAM DATED 15-10-2001

APPELLANT(S)/COMPLAINANT:

THE RASHTRA DEEPIKA LTD.,
KOTTAYAM REPRESENTED BY ITS CIRCULATION
INSPECTOR V.P.THOMAS.

BY ADV. SRI.R.PARTHASARATHY

RESPONDENT(S)/ACCUSED AND STATE:

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1. MANI.C.CHACKO, KRIPA CONSTRUCTION,
KRIPA NAGAR, KALATHIPADY, KOTTAYAM.
 2. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

R2-BY PUBLIC PROSECUTOR SMT. SEENA RAMAKRISHNAN

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON
05-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

acd

P.D. RAJAN, J.

Crl.Appeal No.690 of 2008

Dated this the 5th day of August, 2015

JUDGMENT

This appeal is preferred against the judgment in C.C.No.79/2001 of the Judicial First Class Magistrate Court-III, Kottayam. Appellant is the defacto complainant in the above case, which was filed u/s.138 of the N.I. Act. The appellant's case was that the 1st respondent issued a cheque for ₹22,500/- towards advertisement charges. When it was presented for encashment, it was dishonoured for the reason 'funds insufficient'. In the circumstances, after complying with the statutory formalities, the above complaint was preferred in the trial Court. During the pendency of the complaint, the appellant filed a withdrawal petition and

subsequently, on 15.10.2001, the trial Court acquitted the accused. Aggrieved by that, this appeal is preferred.

2. After filing this appeal, this Court directed the appellant to take steps in time. In spite of specific direction and several adjournments in this case, no steps have been taken by the appellant so far. In the circumstances, I am of the opinion that this is a fit case to dismiss on the ground of non-prosecution.

Accordingly, this Crl.Appeal is dismissed for non-prosecution.

P.D. RAJAN, JUDGE.

acd

