

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. 1944 of 2004 ()

AGAINST THE JUDGMENT IN Cr1.L.P. 742/2004 of HIGH COURT OF KERALA
DATED 18-11-2004

AGAINST THE JUDGMENT IN ST 438/2004 of SPL.J.M.F.C. FOR TRIAL OF
MARADU CASES, KOZHIKODE DATED 16-10-2004

APPELLANT/COMPLAINANT:

P.ABDUL NAZER,S/O. UMMER KOYA,
AGED 39 YEARS, CHALAKKAL HOUSE, VELLAYIL ROAD
CALICUT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT(S)/ACCUSED:

1. K.BABU,S/O. KARIYATHAN,
AGED 30 YEARS, KELESWARATH HOUSE, P.O.KAYALAM
MAVOOR VIA, CALICUT

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

R, BY ADV. PUBLIC PROSECUTOR SMT SEENA RAMAKRISHNAN

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. 1944 of 2004

.....
Dated 28th July, 2015

JUDGMENT

This appeal is preferred against the judgment in S.T.No.438 of 2004 of Special Judicial First Class Magistrate (Marad Cases), Kozhikode. The case was posted in the trial court on 31.8.2004. On that day, the appellant was absent and the accused was acquitted under Section 256(1) Cr.P.C. Against that, appellant preferred this appeal by special leave. After filing this appeal, this court directed to take steps against the first respondent. On 30.6.2011, this court directed to take steps within one week. Thereafter, no steps were taken by the appellant. On 28.7.2005, this court directed to issue notice to the first respondent by special messenger. Steps were not taken for issuing notice to first respondent. In the circumstances, this appeal is dismissed for non prosecution.

P.D.RAJAN, JUDGE

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