

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

CRL.A.No. 196 of 2015 ()

APPELLANTS/SURETIES:

- 1. ABDUL SALAM**
S/O.MOIDU, KIZHAKOTIL HOUSE
PADINHARATHARA, VYTHIRI TALUK.
- 2. SIDIQUE**
S/O.MOIDU, VALLUVASSERY HOUSE, VELLAMUNDA
MANANTHAVADY.

BY ADVS.SRI.SALIM V.S.
SRI.SHANAVAS.S
SRI.H.NUJUMUDEEN
SRI.P.V.JEEVESH
SMT.AMAL SARAH EIPE

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE
VADAKARA POLICE STATION
KOZHIKODE DISTRICT THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM. PIN - 682 031.

BY PUBLIC PROSECUTOR SRI. GITHESH R.

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON 25-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

shg/

K. ABRAHAM MATHEW, J.

Crl.A. No.196 of 2015

Dated this the 25th day of February, 2015

J U D G M E N T

The appellants were the sureties of the accused in Sessions Case No.7/2012 on the file of the Sessions Judge, Kalpetta. The accused absconded in the midst of the trial. The learned Sessions Judge initiated steps against the appellants. They did not appear in response to the notice to show cause why the bond amount of Rs.25,000/- shall not be realised from them. Still the learned Sessions Judge took a lenient view and ordered them to pay a penalty of Rs.10,000/-. This is challenged in this appeal.

2. Heard the learned counsel for the appellants. The only grounds urged in the appeal memorandum are that the accused appeared before the court after the forfeiture of the bond and the appellants are poor. The first ground is not at all valid. The second ground was taken notice of by the learned Sessions Judge. Instead of Rs.25,000/- he

ordered the appellants to pay only Rs.10,000/-. There is no merit in the appeal.

In the result, this appeal is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

//True copy//

P.A. TO JUDGE

shg/