

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.D.RAJAN

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

CRL.A.No. 2149 of 2005 ()

LEAVE GRANTED AS PER ORDER DATED 28-11-2005 IN Cr1.L.P. 697/2005

AGAINST THE ORDER OF ACQUITTAL IN ST 1270/2001 of J.M.F.C.,
SASTHAMCOTTA DATED 18-06-2005

APPELLANT(S)/COMPLAINANT:

G.MURALEEDHARA BHATTATHIRI,
SECRETARY, SOORANAD SOUTH GRAMA PANCHAYATH
PATHANAM P.O.

BY ADVS.SRI.BASANT BALAJI
SRI.R.GOPAN

RESPONDENT(S)/ACCUSED & STATE::

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1. HANEEFA RAWTHER, KALEELAZHIKATHU VEEDU,
PADINJATTUKIZHAKKU, SOORANAD NORTH, SOORANAD P.O.
 2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE.

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON
06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

acd

P.D. RAJAN, J.

Crl.Appeal No.2149 of 2005

Dated this the 6th day of August, 2015

JUDGMENT

This appeal is preferred by the complainant against the judgment in S.T.No.1270/2001 of Judicial First Class Magistrate, Sasthamcotta. The complainant is the Secretary, Sooranadu South Grama Panchayath. The complaint was filed in the trial Court against the 1st respondent alleging offence punishable u/s.210 of the Panchayat Raj Act 1994 r/w. Rule 27 of the Kerala Panchayat (Taxation and Appeals) Rules , 1996. The 1st respondent was the bidder in the auction to sell meat in the area of Koikkal market from 1.4.2000 to 31.3.2001. He defaulted in payment of licence fee of 13,000/- and interest ₹2405/- up to

31.3.2001. For realising the total sum of ₹15,405/-, the appellant filed the complaint. On 18.1.2005, both appellant and 1st respondent were absent. In the circumstances, the learned Magistrate acquitted the accused u/s.256(1) Cr.P.C.

2. Leave was granted on 28.11.2005 by this Court to file the appeal. After admitting the appeal, this Court directed to give notice to 1st respondent. Thereafter, on 27.7.2015, this Court directed the appellant to take notice by special messenger to the 1st respondent. There was no response from the side of the appellant and no steps have been taken so far.

In the circumstances, this appeal is dismissed for non-prosecution.

P.D. RAJAN, JUDGE.

acd

