

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

Crl.MC.No. 1760 of 2015 ()

CC 234/2013 of J.M.F.C.,ERATTUPETTA

PETITIONER/ACCUSED:

BONNY V.THOMAS, AGED 40 YEARS
S/O.THOMAS, VELLLOOKUNNEL HOUSE, POONJAR P.O.
ERATTUPETTA, KOTTAYAM DISTRICT.

BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G
SRI.DIPU JAMES

RESPONDENTS/COMPLAINANT & STATE:

1. STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031
2. THE KOTTAYAM DISTRICT CO-OPERATIVE BANK, AGED 53 YEARS
ERATTUPETTA BRANCH REPRESENTED BY ITS
MANAGER MARYKUNJU IGNATIUS, AGED 53 YEARS
W/O.BABU, SEBASTIAN, MANNARATHU HOUSE
CHETTHIMATTOM KARA, LALAM VILLAGE, PALA.

R2 BY SRI.SUNIL CYRIAC, SC, DIST.CO-OP,BANK,KTM
R1 BY SR.PUBLIC PROSECUTOR, SMT.SAREENA GEORGE P.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
18-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 1760 of 2015 ()

APPENDIX

PETITIONER'S EXHIBITS

ANNEXURE A1: TRUE COPY OF COMPLAINT IN CC NO. 234/2013.

ANNEXURE A2: TRUE COPY OF PETITION DATED 30/06/2014 ALONG WITH
AFFIDAVIT AND MUTUALLY SATISFACTORY DISPOSITION.

RESPONDENTS' EXHIBITS : NIL

// TRUE COPY //

PA to Judge

dl

P.UBAID, J.

Crl. M.C No.1760 of 2015

Dated this the 18th day of March, 2015.

O R D E R

The petitioner herein seeks orders with respect to a judgment of conviction made by the court below on accepting plea bargaining. His request is only for sometime to make payment of the amount to the complainant. The trial court cannot extend the time. This court cannot act under Section 482 Cr.P.C, in view of the bar under Section 265 (a) Cr.P.C. What is possible, whatever be the relief sought, is either a special review petition before the Hon'ble Supreme Court, or a proceeding under Article 226 or Article 227 of the Constitution of India.

Hence this Crl.M.C is closed, without prejudice to the right of the petitioner to file original petition under Article 227 of the Constitution of India. The petitioner is permitted to take back the impugned order for filing proper petition.

Sd/-

P.UBAID,
JUDGE