

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

Cr1.MC.No. 1895 of 2014 ()

CRL.M.P. 578/2014 of SESSIONS COURT, KOLLAM

ST 96/2011 of CHIEF JUDICIAL MAGISTRATE'S COURT, KOLLAM

PETITIONER/PETITIONER/ACCUSED:

MERCY CHANDRAN, AGED 52 YEARS,
W/O.LATE RAMACHANDRAN, LEKSHMI NIVAS, DURGA NAGAR,
KOTTAKKAKAM, KOLLAM WEST VILLAGE, CUTCHERRY P.O.,
KOLLAM.

BY ADV. SRI.BIJU .C. ABRAHAM

RESPONDENTS/RESPONDENTS/STATE AND COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.

2. A.C.SUNNY,
S/O.A.I.CHERUKUTTY, ARIMBUR HOUSE, HOUSE NO.100,
VISHANTHUKAVU NAGAR, THIRUMULLAVARAM P.O.,
KOLLAM WEST VILLAGE, FROM ARIMBUR HOUSE, HOUSE NO.77,
THEKKEVILA NAGAR, MUNDKKAL, KOLLAM-686 016.

R1 BY PUBLIC PROSECUTOR SMT.MAYA

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
16-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

DSV/21/10/15

Cr1.MC.No. 1895 of 2014 ()

APPENDIX

PETITIONER'S ANNEXURES:

ANX-1 COPY OF THE JUDGMENT DATED 8.4.2013 IN ST NO.96/2011
OF THE CHIEF JUDICIAL MAGISTRATE'S COURT, KOLLAM.

ANX-2 COPY OF THE ORDER DATED 1.3.2014 IN
CRL.M.P.NO.578/2014 IN CRL.APPEAL NO.76/2014 OF THE COURT OF
THE SESSIONS JUDGE, KOLLAM.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/21/10/15

B.KEMAL PASHA, J.

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Crl.M.C. No. 1895 of 2014

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Dated this the 16th day of October, 2015

ORDER

Heard the learned counsel for the petitioner.

2. In spite of notice, there is no representation for the 2nd respondent. Condition No.1 imposed in Annexure-2 order passed by the Sessions Court, Kollam in Crl.M.P.No.578 of 2014 in Crl.Appeal No.76 of 2014 is under challenge.

3. On hearing the submissions of the learned counsel for the petitioner, this Court is of the view that Condition No.1 in Annexure-2 order can be modified by directing the petitioner to deposit an amount of ₹1,00,000/- (Rupees One Lakh only)

before the court below within a period of two months from today.

With the said modification, this Crl.M.C. is disposed of accordingly.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/16/10/15

// True Copy //

P.A. To Judge