

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Crl.MC.No. 7789 of 2015 ()

CC. NO.153/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, PALAKKAD.

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PETITIONER/ACCUSED:

**UDAYAKUMAR, S/O. VASUDEVAN, 45/10,
CHANDATTIL HOUSE, THADUKKASSERY P.O.,
KERALASSERY, PALAKKAD DISTRICT.**

**BY ADVS.SRI.K.MOHANAKANNAN,
SMT.A.R.PRAVITHA.**

RESPONDENTS/COMPLAINANT AND STATE:

- 1. P.K. PADMANABHAN,
S/O. LATE P.K. KUTTIKRISHNA MENON,
'SREE HARI', THARA NAGAR, ALAMPALLAM ROAD,
CHANDRANAGAR P.O., KERALASSERY, PALAKKAD - 678 641.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R2 BY PUBLIC PROSECUTOR SMT.P. MAYA.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- A1- TRUE COPY OF THE ORDER PASSED BY THE JUDICIAL FIRST CLASS
MAGISTRATE - II, PALAKKAD IN CC. NO.153/2010.**
- A2 - TRUE COPY OF THE JUDGMENT IN CRL. REVISION PETITION 1843/2013.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
Crl.M.C. No.7789 of 2015
.....

Dated this the 14th day of December, 2015

O R D E R

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Heard learned counsel for the petitioner.

2. The petitioner has been directed by this Court through Annexure-A2 order in Crl.R.P. No.1843/2013 to pay ₹75,000/- to the complainant/1st respondent as compensation within a period of four months from the date of that order. The revision petitioner was ordered to appear before the trial court on or before 11.01.2014 with sufficient proof showing the payment of compensation, to suffer substantive sentence of simple imprisonment till the rising of the court.

3. According to the petitioner, still, the complainant/1st respondent is in Australia and he is not available here.

An amount of ₹25,000/- was also deposited before the trial court as per the orders of the appellate court.

In the result, CrI.M.C. is allowed. The trial court shall permit the petitioner to deposit the balance amount of ₹50,000/- before the trial court within 10 days from today. The petitioner shall appear before the trial court within 10 days from today to suffer the substantive sentence of simple imprisonment till the rising of the court. In the meantime, coercive steps shall not be taken against the petitioner.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/14/12

// True Copy //

PA to Judge