

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

Crl.Rev.Pet.No. 1751 of 2014 (D1)

CRL.A 40/2013 of II ADDL. DISTRICT & SESSIONS COURT (SPL.
COURT), KOTTAYAM
CC 11/2010 of J.M.F.C.-II, VAIKOM
.....

REVISION PETITIONER(S)/APPELLANT/ACCUSED:

C.KRISHNAKUMAR,
S/O.CHELLAPPAN, R/A ASWATHY PAPER MART,
SOUTH OF DEVI TEMPLE, A.C.ROAD, CHERTHALA,
ALAPPUZHA DISTRICT.

BY ADVS.SRI.A.JAYASANKAR
SRI.C.V.MANUVILSAN
SRI.MANU GOVIND

RESPONDENT(S)/RESPONDENTS/COMPLAINANT/STATE:

1. N.J.KURIACHAN
S/O.JOSEPH, NAMASIVAYAM HOUSE, AMBIKA MARKET P.O.
KOTTAYAM DISTRICT - 686 144.

2. STATE OF KERALA,
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

R1 BY ADV. SRI.B.PRAMOD
R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR
ADMISSION ON 04-06-2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:

OKB

K.HARILAL, J.

Crl.R.P. No.1751 of 2014

Dated this the 4th day of June, 2015.

O R D E R

This revision petition is filed challenging the conviction and sentence imposed on the revision petitioner in C.C.No.11/2010 of the Judicial First Class Magistrate's Court-II, Vaikom and confirmed by the judgment passed in Crl. Appeal No.40/2013 by the Additional Sessions Court-II (Special), Kottayam.

2. Going by the impugned judgment, I am of the opinion that this revision petition itself is not maintainable. In the impugned judgment, the learned Sessions Judge observed that though several contentions were raised in the appeal challenging the conviction and sentence of the trial court, the learned counsel for the appellant before the appellate court did not argue the case on merit and submitted that the appellant was ready to return the amount

within two months and as such prayed for leniency in respect of the substantive sentence imposed by the trial court. The learned counsel for the first respondent before the appellate court had no objection in granting time for making payment. In view of the submissions at the Bar, on consensus between the parties, the court below granted two months time as prayed for by the revision petitioner. So I find that no revision will lie against a judgment passed on consensus between the parties.

Consequently, this revision petition will stand dismissed.

Sd/-
K. HARILAL, JUDGE

okb.