

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

OP(Crl.).No. 73 of 2015 ()

CC.NO. 1049/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I,THRISSUR

PETITIONER :

**SREEKALA, W/O.VENUGOPAL, AGED 45 YEARS,
KUMMAYIL HOUSE, POONKUNNAM,
THRISSUR VILLAGE AND TALUK.**

**BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.BENOJ C AUGUSTIN
SRI.SEBIN THOMAS
SRI.VIVEK V. KANNANKERI
SMT.J.KASTHURI
SRI.VISHNU BHUVANENDRAN**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. KOVILAKAM CHITS AND FINANCIAL SERVICES (P) LTD.,
LAKSHMI COMPLEX, CHIYARAM, THRISSUR,
REP. BY MANAGING DIRECTOR, K.S.SADANANDAN,
KURUVANGATTU HOUSE, P.O.MANALUR.**

**R1 BY PUBLIC PROSECUTOR SMT. P.MAYA
R2 BY ADVS. SRI.K.J.SAJI ISAAC
SRI. DR.ELIZABETH VARKEY**

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(Crl.).No. 73 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE JUDGMENT PASSED BY THE JUDICIAL FIRST
CLASS MAGISTRATE COURT THRISSUR IN C.C. NO.1049/10 DATED
11/6/2012.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
O.P.(Crl) No. 73 of 2015
.....

Dated this the 1st day of October, 2015

J U D G M E N T

The petitioner, who is the accused in C.C.No.1049/2010 of the Judicial First Class Magistrate's Court-I, Thrissur, for the offence punishable under Section 138 of the Negotiable Instruments Act, pleaded guilty and she was convicted and sentenced. She was sentenced to pay a fine of Rs.1,80,000/- which was ordered to be paid as compensation to the complainant under Section 357(1) Cr.P.C., and in default, she was ordered to undergo simple imprisonment for a period of six months. The amount was not paid. According to the petitioner, she is under utter financial difficulty. She wants to get the time ordered by the court below for making the payment of fine, extended. This

Court cannot alter the judgment passed by the court below. If at all the petitioner was aggrieved in any manner, the petitioner ought to have preferred an appeal. Matters being so, this Original Petition is not maintainable and hence it is only to be dismissed.

In the result, this Original Petition is dismissed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge