

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

OP(Crl.).No. 123 of 2015 (Q)

IN ST 7280/2010 of J.M.F.C.-III, THRISSUR

PETITIONER(S):

**RAJA SURESH
CHAIRMAN, SREE PATTATH
VISHNUMAYA CHITS LTD, PATTATH HOUSE
KOTTAPURAM, THRISSUR 680004**

**BY ADVS.SRI.THOMAS J.ANAKKALLUNKAL
SRI.V.C.SARATH**

RESPONDENT(S):

**1.STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM 682 031**

**2. SONNET CREATIONS PVT. LTD., 52, UNITY
BUILDING, MANNADIAR LANE, THRISSUR
REP. BY DIRECTOR P.K. VASUDEVAN 680003**

**3. THE TAHSILDAR
TALUK OFFICE, THRISSUR 680001**

R BY GOVERNMENT PLEADER SMT. SAREENA GEORGE. P.

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 10-04-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONERS EXHIBITS:

- EXT P1: TRUE COPY OF THE JUDGMENT DATED 20.2.2014 IN S.T NO.7280/2010
OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-III, THRISSUR**
- EXT P2: TRUE COPY OF THE DEMAND NOTICE DATED 24.1.2015 ISSUED BY
THE 3RD RESPONDENT UNDER SECTION 23 OF THE REVENUE
RECOVERY ACT**
- EXT P3: TRUE COPY OF THE DEMAND NOTICE DATED 24.1.2015 ISSUED BY
THE THIRD RESPONDENT UNDER SECTION 7 OF THE REVENUE
RECOVERY ACT**

RESPONDENTS EXHIBITS: NIL

/TRUE COPY/

**PA TO JUDGE
sab**

P.UBAID, J.

O.P (CrI.) No.123 of 2015

Dated this the 10th day of April, 2015.

J U D G M E N T

The petitioner herein stands convicted and sentenced on a plea of guilty under Section 138 of the Negotiable Instruments Act by the Judicial First Class Magistrate Court -III, Thrissur in S.T No.7280 of 2010. Unfortunately, he could not deposit the amount of compensation within the time granted by the court. He has not preferred appeal against the conviction, and he is ready to deposit the amount within a reasonable period. The only remedy available to him is to seek a direction from this court under Article 227 of the Constitution of India. In such a circumstance, this court can grant reasonable time in exercise of the supervisory jurisdiction. The petitioner's request is genuine. The date of conviction is 20.2.2014, and now we are in April 2015. Time for three months as requested by the petitioner cannot be

granted. However, his request deserves to be considered.

In the result, this original petition is disposed of, granting time to the petitioner till 31.5.2015 to make payment of the compensation as per the judgment of the trial court dated 20.2.2014 in S.C 7280 of 2010.

sd/-

P.UBAID,
JUDGE

sab