

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

FRIDAY, THE 17TH DAY OF APRIL 2015/27TH CHAITHRA, 1937

OP(Crl.).No. 126 of 2015 (Q)

**MC.NO.7/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, CHITTUR
CRL.R.P.NO.9/2015 OF SESSIONS COURT, PALAKKAD**

PETITIONER :

**MUHAMMED MUSTHAFAS/O.AZEEZ,
MADAMPARA VEEDU, KUNISSERY, ALATHUR TALUK,
PALAKKAD.**

BY ADV. SRI.A.SHAFAEEK (KAYAMKULAM)

RESPONDENT :

**BENASIR BHANU, MSK MANZIL,
KOLLENGODE, CHITTUR, PALAKKAD-678 506.**

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 17-04-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(CRL).NO.126/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE ORDER IN MC 7/2014 OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT, CHITTUR.**
- P2 COPY OF THE CRL.R.P.NO.9/2015 ON THE FILE OF THE SESSIONS COURT,
PALAKKAD.**
- P3 COPY OF THE CMP.NO.630/2015 IN CRL.R.P.NO.9/2015 ON THE FILE OF THE
SESSIONS COURT, PALAKKAD**
- P4 COPY OF THE ORDER DATED 6/3/2015 IN CMP.NO.630/2015 IN
CRL.R.P.NO.9/2015 OF THE SESSIONS COURT, PALAKKAD**
- P5 COPY OF THE CRL.M.P.NO.864/2015 IN CMP.NO.630/2015 IN CRL.R.P.NO.9/2015
OF THE SESSIONS COURT, PALAKKAD**
- P6 COPY OF THE ORDER DATED 26/3/2015 IN CRL.M.P.NO.864/2015 IN
CRL.R.P.NO.9/2015 OF THE SESSIONS COURT, PALAKKAD**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K.SURENDRA MOHAN, J.

O.P.(CrI).No.126 of 2015

Dated this the 17th day of April, 2015

JUDGMENT

The petitioner has filed this original petition challenging Ext.P6 order by which, a petition for extension of the time limit for complying with Ext.P4, an earlier order passed by the Sessions Court, Palakkad, has been dismissed. The petitioner had filed CrI.R.P.No.9 of 2015 before the Sessions Court, against the order of the Judicial First Class Magistrate's Court, Chittor in M.C.No.7 of 2014. Along with his revision petition he had also moved a petition for stay of operation of the order, which is Ext.P1. As per Ext.P4, the Sessions Court granted an interim stay on condition that the petitioner deposited an amount of ₹2,50,000/- within a period of 45 days. The said period expires on 19.4.2015. The petitioner has not been able to muster enough financial resources to comply with the direction of the court below. He therefore approached the Court by Ext.P5 petition seeking an extension of the time limit. The court below has by Ext.P6 declined the extension that was sought for.

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2. According to the counsel for the petitioner, the petitioner has been earnest in his efforts to comply with the directions of the court below. He assures that, the amount would be deposited, provided time is granted to him upto 30.5.2015.

In view of the above assurance, Ext.P6 is set aside. Ext.P5 petition is allowed by extending the time limit stipulated by Ext.P4 for deposit of the amount of ₹2,50,000/- (Rupees Two lakhs fifty thousand only) up to 30.5.2015. It is made clear that, no petition for any further extension would be entertained.

**K.SURENDRA MOHAN,
JUDGE.**

rkc.