

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

OP(Crl.).No. 155 of 2015 (Q)

**S.T.NO.1542 OF 2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
ERATTUPETTA**

PETITIONER(S)/ACCUSED :

**SATHEESAN, AGED 50 YEARS,
S/O.NARAYANAN NAIR, ARACKAL HOUSE, ARUVITHARA P.O.,
KONDOOR KARA, KONDOOR VILLAGE.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE/COMPLAINANT :

**1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

**2. E.V.RAPPAEL, AGED 51 YEARS,
S/O.VARKEY, ELAVUMKAL HOUSE, KALAKAETTY P.O.,
PINNAKKANADU, THIDANADU KARA,
KONDOOR VILLAGE- 686 508.**

**R1 BY GOVERNMENT PLEADER SRI.DHANESH MATHEW MANJOORAN
R2 BY ADVS. SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G**

**THIS OP (CRIMINAL) HAVING BEEN FINALLY HEARD ON 12-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

OP(Crl.).No. 155 of 2015 (Q)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE COMPLAINT FILED BY
THE 2ND RESPONDENT.**

EXHIBIT P2: TRUE COPY OF THE JOINT STATEMENT DATED 21.10.2014.

**EXHIBIT P3: CERTIFIED COPY OF THE ORDER DATED 05.11.2014 IN
S.T.NO.1542/2013 PASSED BY THE JUDICIAL MAGISTRATE OF
FIRST CLASS, ERATTUPETTA.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ALEXANDER THOMAS, J.

O.P(Cr1).No.155 Of 2015

Dated this the 12th day of August, 2015.

J U D G M E N T

The prayer in this Original Petition is as follows:

“.....this Court may be pleased to enlarge 3 month's time to the petitioner to comply with the order in ST No.1542/2013 dated 05.11.2014, by allowing this petition.”

2. This Court as per interim order dated 22.7.2015 issued in this case had recorded the petitioner's undertaking to pay off an amount of Rs.80,000/- to the 2nd respondent on or before 31.7.2015 and it is made clear that if the said amount is not paid, the interim stay will stand automatically vacated. It is brought to notice of this Court that the petitioner has not yet paid the aforestated amount undertaken to be paid to the 2nd respondent before this Court. Sri.S.Rajeev, learned counsel for the petitioner, submits that as a last chance, an opportunity may be granted to the petitioner to pay off Rs.1.2 Lakhs within a period of one month from today. Sri.George Mathew, learned counsel for the 2nd respondent submits that the 2nd respondent is willing to accept this

O.P(Crl).No.155 Of 2015

offer provided that no further time will be granted to the petitioner. In view of the submission, the petitioner is given further one month time from today to pay off Rs.1.2 Lakhs to the 2nd respondent. Until then further coercive steps pending against the petitioner in the matter will be kept in abeyance.

With these observations and directions, this Original Petition stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-