

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

UNNUMB.Crl.Rev.Pet.of 2013
(ZCRRP No. 3852 OF 2013)

AGAINST THE JUDGMENT IN CRA 190/2012 of THE COURT OF ADDITIONAL
SESSIONS JUDGE (ADHOC-I), ERNAKULAM DATED 20-10-2012

AGAINST THE JUDGMENT IN CC 3172/2010 of THE COURT OF JUDICIAL FIRST
CLASS MAGISTRATE-I, KOCHI DATED 31-01-2012

REVISION PETITIONER/APPELLANT/ACCUSED :

KANNAN.A, AGED 47 YEARS
S/O. ARUNACHALAM PILLAI, RESIDING AT 10/308
AMARAVATHY, FORT KOCHI P.O., KOCHI-682 001.

BY ADVS.SRI.T.PRAVEEN
SRI.PRAKASH KESAVAN

RESPONDENTS/RESPONDENTS/STATE & COMPLAINANT :

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

2. K.M.JOSEPH
S/O. K.C.MATHEW, NO.255, 5TH FLOOR
2ND BLOCK, JALVAYU TOWER APARTMENTS
BEHIND NGEF FACTORY, NGEF LAY OUT SADANANDA NAGAR
BANGALORE - 560 002.

R2 BY ADV. SRI.M.V.SABU
R1 BY PUBLIC PROSECUTOR SRI.N.SURESH

THIS UNNUMBERED CRIMINAL REVISION PETITION HAVING COME UP
FOR ORDERS ON 02-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

C.T.RAVIKUMAR, J.

Unnumbered Crl.R.P. of 2013
(ZCRRP No.3852 of 2013)
&
Crl.M.A.No.3852 of 2013

Dated 2nd March, 2015

ORDER

Crl.M.A.No.3852 of 2013

This revision petition is sought to be registered against the judgment dated 20.10.2012 in Crl.A.No.190 of 2012 of the Court of Additional Sessions Judge (Adhoc-I), Ernakulam with a delay of 98 days. Crl.M.A.No.3852 of 2013 has been filed to condone the said delay of 98 days in filing the revision petition. Notice was ordered as early as on 4.6.2013. Subsequently, on 2.7.2013 this Court passed an order condoning the delay conditionally requiring the petitioner to pay an amount of ₹ 3000/- to the second respondent within a period of one week from 2.7.2013. Subsequently, when this matter came up for consideration on 23.2.2015 in the defect list there was no representation for the petitioner. However, this Court passed an order requiring the learned counsel for the petitioner to ascertain and submit as to whether the condition in the order dated 2.7.2013 was complied with or not. It is for that purpose the case was ordered to be posted to 2.3.2015. Even when this matter is taken up for

consideration today there is no representation for the revision petitioner and it is a fact that the cost directed to be paid to the 2nd respondent is still remained unpaid. In the said circumstances, Crl.M.A.No.3852 of 2013 for condoning the delay of 98 days in filing the revision petition is dismissed.

Unnumbered Crl.R.P. of 2013(ZCRRP No.3852 of 2013)

Consequent to the dismissal of the petition for condoning the delay this revision petition, which is yet to be admitted, is rejected.

Sd/-
C.T.RAVIKUMAR
Judge

TKS