

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.4020 OF 2013)

AGAINST THE JUDGMENT IN CRA 32/2006 of THE COURT OF ADDL. DISTRICT &
SESSIONS JUDGE, MANJERI DATED 08-05-2007

AGAINST THE JUDGMENT IN CC 954/2002 of THE COURT OF JUDICIAL FIRST
CLASS MAGISTRATE, TIRUR DATED 19.12.2005

REVISION PETITIONER/APPELLANT/ACCUSED:

K.V.MOHAMMED SHAFI
S/O.KUNCHIKMOIDEEN, KULANGARA VEETIL, MUTTANNOOR
NEAR EDAKANAD MOSQUE, TIRUR TALUK.

BY ADVS.SRI.C.V.MANUVILSAN
SMT.K.VIDYA

RESPONDENT(S)/RESPONDENT/COMPLAINANT&STATE:

1. MOHAMMED BASHEER
S/O.K.S.MAMMI, KAINIKKARA HOUSE, SALEENA MANZIL
GOODSHED ROAD, TIRUR.
2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.

R1 BY ADV. SRI.C.M.MOHAMMED IQUABAL
R2 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.4020 of 2013)
&
Crl.M.A.No.4020 of 2013

Dated 2nd March, 2015

ORDER

Crl.M.A.No.4020 of 2013

This revision petition is sought to be registered against the judgment dated 8.5.2007 in Crl.A.No.32 of 2006 of the Court of Additional Sessions Judge, Manjeri with a long delay of 2065 days. Crl.M.A.No.4020 of 2013 has been filed to condone the said delay of 2065 days in filing the revision petition. Though the delay is inordinate, inasmuch as, the delay of 2065 days in filing the revision petition, this Court reluctantly passed an order on 25.7.2013 to condone the delay on condition that the petitioner pays an amount of ₹ 5000/- either to the first respondent or to the counsel for the first respondent within one week from 25.7.2013. The learned counsel appearing for the first respondent submitted that the said conditional order dated 25.7.2013 has not been complied with. Earlier, when this matter came up before the Bench on 23.2.2015 this Court passed the following order:-

“Learned counsel for the petitioner shall ascertain and submit as to whether the condition in the order dated 25.7.13 has been complied with by the petitioner.”

The learned counsel for the petitioner submitted that though the petitioner was intimated about the order dated 25.7.2013 and asked to turn up for complying with the directions in the order dated 25.7.2013 through registered post he has not responded to the same. In fact, the petitioner has failed to comply with the direction in the conditional order passed by this Court on 25.7.2013 in the matter of condonation of delay. Hence, this application to condone the delay of 2065 days in filing the revision petition is liable to be dismissed. Hence, it is dismissed.

Unnumbered Crl.R.P. of 2013(ZCRRP No.4020 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