

P.B.Chandrakumar vs Uthaman

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Court : Kerala Orders

Decided On : May-30-2023

Judge : Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : Crl.Rev.Pet/3216/2004

Appellant : P.B.Chandrakumar

Respondent : Uthaman

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS TUESDAY, THE 30TH DAY OF MAY 2023 / 9TH JYAISHTA, 1945 CRMP 9045/2004 OF JUDICIAL MAGISTRATE OF FIRST CLASS - I, PUNALUR REVISION PETITIONER/ COUNTER PETITIONER/ ACCUSED : P.B.CHANDRAKUMAR [RICE MERCHANT0, PUSHPAMANGALAM VEEDU, BHARANIKKAVU WARD, PUNALUR MUNICIPALITY, PUNALUR VILLAGE BY ADV SRI.RAJESH VIJAYAN RESPONDENT/ PETITIONER/ COMPLAINANT & STATE :

1 UTHAMAN, S/O.NARAYANAN, THOPPIL VEEDU, THAZAMEL, ANCHAL, OWNER OF S.U. TRADERS, MARKET JUNCTION,

THAZAMEL, ANCHAL VILLAGE. 2 STATE OF KERALA, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. BY SREEJA V., PUBLIC PROSECUTOR THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 30.05.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

Crl.R.P.No.3216 of 2004 Dated this the 30th day of May, 2023

ORDER

Even though this criminal revision petition was preferred as early as on 2004, it had never been admitted. After 27.01.2005, the case never came up until 21.02.2022 on which date, this Court directed the revision petitioner to take steps to issue notice to the first respondent. Again on 22.03.2022, this Court directed steps to be taken to issue notice. However, till date, no steps have been taken.

2. The revision petition is preferred against the order dated

05.11.2004 in Crl.M.P.No.9045 of 2004 in C.C.No.496 of 2002 on the files of the Judicial First Class Magistrate's Court-I, Punalur. A reading of the impugned order reveals that cognizance was taken under Section 138 of the Negotiable Instruments Act, 1881 which is being challenged in this petition.

3. Due to the long lapse of the time and the failure on the part of the revision petitioner to take steps to serve notice on the respondent, it is evident that he is not interested to prosecute this matter. Accordingly, this criminal revision petition is dismissed for non-prosecution. Sd/- BECHU KURIAN THOMAS, JUDGE RKM

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