

Kerala High Court

T.J.Jacob vs State Of Kerala on 19 June, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Crl.MC.No. 2309 of 2008()

1. T.J.JACOB

... Petitioner

Vs

1. STATE OF KERALA

... Respondent

For Petitioner :SRI.P.K.NIJOY

For Respondent : No Appearance

The Hon'ble MR. Justice R.BASANT

Dated :19/06/2008

O R D E R

R.BASANT, J

Crl.M.C. No.2309 of 2008

Dated this the 19th day of June, 2008

ORDER

Petitioner is the complainant in a private complaint filed before the learned Magistrate alleging commission of offences punishable, inter alia, under Sections 420 and 409 I.P.C. The learned Magistrate by the impugned order, evidently passed under Section 203 I.P.C, proceeded to dismiss the complaint. The petitioner has come to this Court to invoke the jurisdiction of this Court under Section 482 Cr.P.C.

2. After discussions at the Bar, the learned counsel for the petitioner fairly submits that revision is maintainable against the impugned order and in these circumstances without prejudice to the rights of the petitioner to challenge the impugned order in revision, this Crl.M.C may be dismissed. The request is accepted.

3. This Crl.M.C is, in these circumstances, dismissed as agreed. Return the certified copies of the orders to the learned counsel for the petitioner forthwith. The learned counsel for the petitioner submits that observations may be made about right of the petitioner to get the delay condoned. The petitioner must raise his plea for condonation of delay, if any, before the Revisional Court.

(R.BASANT, JUDGE) rtr/-