

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 30TH JUNE 2008 / 9TH ASHADHA 1930

Crl.Rev.Pet.No. 1956 of 2008()

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STC.862/2006 of JUDL.MAGISTRATE OF FIRST CLASS COURT, TALIPARAMBA

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REVN. PETITIONER:

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PRATSHEESH M.V., S/O.M.V. VALSALAN  
25 YEARS, MANAYATH VADAKKEL HOUSE  
KAMBIL, P.O. KOLACHERY, KANNUR DISTRICT

BY ADV. SRI.V.A.SATHEESH  
SRI.V.T.MADHAVANUNNI

RESPONDENTS:

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1. RAVEENDRAN,S/O. PULUKKAL KUNHIRAMAN  
PERUMBADATH HOUSE, PADAPPENGAD P.O.  
CHAPPARAPPADAVU, KANNUR DISTRICT
2. THE STATE OF KERALA REPRESENTED BY THE  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA  
AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.NAZER

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION  
ON 30/06/2008, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**V.RAMKUMAR, J.**

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**CRL.R.P. NO.1956 OF 2008**

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**Dated this the 30th day of June 2008**

**ORDER**

The petitioner, who is the accused in S.T.C.No.862/2006 on the file of the JFCM, Taliparamba, which is a prosecution under section 138 of the Negotiable Instruments Act, 1881 in respect of a cheque for a sum of Rs.50,000/-, challenges the order dated 4.6.2008 passed by the Magistrate dismissing the complaint under Section 204(4) Cr.P.C. for the failure of the complainant to appear before Court and for the failure to take steps.

There might have been some laches on the part of the petitioner. But he certainly did not deserve a dismissal of his complaint. Accordingly, the impugned order is set aside and S.T.862/2006 shall stand restored to file. The petitioner shall appear before the learned Magistrate without any further notice on 14.7.2008, by which time he shall have taken all necessary steps for the progress of the complaint.

Dated this the 30th day of June, 2008

**V.RAMKUMAR,  
JUDGE**

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