

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.BHAVADASAN

FRIDAY, THE 31ST DECEMBER 2010 / 10TH POUSHA 1932

Crl.MC.No. 5102 of 2010()

AGAINST THE ORDER IN CRMP.2000/2010 IN
CRA.353/2010 of SESSIONS COURT, PALAKKAD
CC.2/2009 of JUDICIAL MAGISTRATE OF FIRST CLASS - II, OTTAPALAM
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PETITIONER(S): APPELLANT/ACCUSED.

ABDUL SALAM, S/O. M.T.MOOSA MUSALIYAR,
AGED 55 YEARS, MEDATHIL HOUSE, LAKKIDI,
PERUR VILLAGE, AKALUR P.O., OTTAPPALAM TALUK.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT(S): RESPONDENTS/COMPLAINANT.

1. P.ASHOK KUMAR, S/O. P.BALAN,
AGED 44 YEARS, ASHOK BHAVAN, KANNIYAMPURAM,
OTTAPPALAM.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. VENUGOPAL.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 31/12/2010, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

P. BHAVADASAN, J.

Crl.M.C. No.5102 of 2010

Dated this the 31st day of December, 2010.

ORDER

This is a petition filed under Section 482 of the Code of Criminal Procedure complaining about the condition imposed by the appellate court while suspending execution of sentence in the appeal against the conviction and sentence passed by the trial court. It is well settled that the appellate court is empowered to impose such conditions as it deems fit, just and proper while granting stay of execution of sentence. In the case on hand that is all what has been done by the appellate court.

2. Faced with the above situation, learned counsel appearing for the petitioner pointed out that sometime may be granted for depositing the amount as directed by the court below.

Considering the facts and circumstances of the case, the petitioner is given two months' time for depositing the amount as directed by the court below.

**P. BHAVADASAN,
JUDGE**

sb.