

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE. P.S.GOPINATHAN

WEDNESDAY, THE 29TH DAY OF FEBRUARY 2012/10TH PHALGUNA 1933

Crl.MC.No. 640 of 2012

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CC.610/2009 (WRONGLY SHOWN AS C.C. NO. 610/2007) OF J.M.F.C.,ERATTUPETTA

PETITIONER:

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MUHAMMED ILLIYAS, AGED 38,  
KOCHANNAMPARAMBIL HOUSE, RUVITHARA P.O.  
ERATTUPETTA P.O.

BY ADVS.SRI.BABY THOMAS  
SRI.LATHEESH SEBASTIAN

RESPONDENTS/ STATE & COMPLAINANT:

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1. STATE OF KERALA  
REP.BY THE DIRECTOR OF PUBLIC PROSECUTIONS  
HIGH COURT OF KERALA, ERNAKULAM
2. THE MEENACHIL CO-OPERATIVE AGRICULTURAL & AGRICULTURAL  
DEVELOPMENT BANK LTD K 197, PALA  
REP.BY ITS SECRETARY, ROSAMMA MATHEW, AGED 56  
W/O.GEORGE C.KAPPEN, KAPPIL HOUSE, LALAM KARA  
LALAM VILLAGE

PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 29-02-2012, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.S. GOPINATHAN, J.  
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CRL. M.C. 640/2012  
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DATED THIS, THE 29<sup>th</sup> DAY OF FEBRUARY, 2012.

***ORDER***

In this petition under Section 482 of the Code of Criminal Procedure, petitioner, who is the accused in C.C. 610 of 2009 on the file of the Judicial Magistrate of the First Class, Erattupetta for offence under Section 138 of the Negotiable Instruments Act, seeks an order to extend the time limit granted in Annexure A3 order passed by the trial court under Chapter XXI-A of the Code of Criminal Procedure after plea bargaining.

2. As per Annexure A3 order, the petitioner is bound to pay Rs. 90,000/- to the second respondent on or before 28.12.2011. Pleading inability to pay the amount in time, this petition is filed.

3. Having heard the learned counsel for the petitioner, this petition is disposed of directing the petitioner to remit one third of the amount before the second respondent Bank within seven days failing which this petition would stand dismissed. If the deposit as above is made, to pay the balance amount, petitioner is given time

till 31.5.2012. Petitioner shall also pay interest at the rate of 10% per annum from the due date of payment as per Annexure A3. In the event of failure to pay interest, the petitioner would be subject to default sentence as per Annexure A3. Coercive steps, if any, issued against the petitioner shall be kept in abeyance for one week.

Sd/-  
P.S. GOPINATHAN,  
(JUDGE)

knc/-