

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS**

**WEDNESDAY, THE 31<sup>ST</sup> DAY OF MAY 2023 / 10TH JYAISHTA, 1945**

**CRL.REV.PET NO. 2296 OF 2004**

**AGAINST THE JUDGMENT IN CR.A.NO.359/2003 OF ADDITIONAL**

**DISTRICT COURT (ADHOC), ERNAKULAM**

**IN C.C.NO.511/1999 OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE,**

**ERNAKULAM**

**REVISION PETITIONER/APPELLANT/3RD ACCUSED:**

NOWSHAD  
S/O MAKKARUKUTTY HAMEED,  
THOTTUNKAL HOUSE, UNICHIRA,  
EDAPPALLY P.O., ERNAKULAM.

BY ADVS.  
SRI.K.A.JALEEL  
SRI.C.ANILKUMAR KALLESSERIL

**RESPONDENT/COMPLAINANT:**

THE STATE OF KERALA  
REP. BY INSPECTOR RPF ERNAKULAM IN CRIME NO.2/98,,  
REP. BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF, KERALA, ERNAKULAM.

BY ADV  
SREEJA V  
PUBLIC PROSECUTOR

**THIS CRIMINAL REVISION PETITION HAVING COME UP FOR  
ADMISSION ON 31.05.2023, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

**BECHU KURIAN THOMAS, J.**  
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**Crl. R.P. No.2296 of 2004**  
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*Dated this the 31<sup>st</sup> day of May, 2023*

**ORDER**

Revision petitioner was the accused in C.C.No.511/1999 on the files of the Additional Chief Judicial Magistrate Court, Ernakulam. He was convicted for the offence under Section 3(a) of the Railway Property (Unlawful Possession Act), and was sentenced to undergo rigorous imprisonment for two years and to pay a fine of Rs.5,000/. On appeal to the Sessions Court as Crl.A.No.359/2003, the learned Sessions Judge by judgment dated 07.06.2004, dismissed the appeal and confirmed the conviction and sentence.

Since it was submitted that the revision petitioner had expired and that fine amount of Rs.5,000/- paid by him as early as on 06.10.2004, nothing further survives for consideration in this revision petition. Therefore, this revision petition has become infructuous and the same is dismissed.

Sd/-

**BECHU KURIAN THOMAS  
JUDGE**