2025:KER:29895

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

CRL.REV.PET NO. 301 OF 2025

CRIME NO.894/2011 OF Nilambur Police Station, Malappuram
AGAINST THE JUDGMENT DATED 17.11.2015 IN Crl.A NO.321 OF 2012 OF ADDITIONAL SESSIONS COURT - II, MANJERI ARISING OUT OF THE JUDGMENT DATED 30.10.2012 IN CC NO.93 OF 2011 OF JUDICIAL MAGISTRATE OF FIRST CLASS, NILAMBUR

REVISION PETITIONER/APPELLANT/ACCUSED NO.2:

NISAMUDHEEN @ NISAM, AGED 35 YEARS
S/O. MOHAMMED, PUTHUKUDI HOUSE, PARAMMAL PUTHOOR, KOTTAKKAL, MALAPPURAM DISTRICT, PIN - 676503

BY ADVS. P.MOHAMED SABAH
LIBIN STANLEY, SAIPOOJA
SADIK ISMAYIL, M.MAHIN HAMZA
ALWIN JOSEPH, BENSON AMBROSE
R.GAYATHRI

RESPONDENT/RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM, PIN – 682031
SMT. SREEJA V. SR. PP

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07.04.2025, ALONG WITH Crl.Rev.Pet.304/2025, 312/2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

CRL.REV.PET NO. 304 OF 2025

CRIME NO.773/2010 OF Nilambur Police Station, Malappuram
AGAINST THE JUDGMENT DATED 17.11.2015 IN Crl.A NO.322 OF 2012 OF ADDITIONAL SESSIONS COURT - II, MANJERI ARISING OUT OF THE JUDGMENT DATED 30.10.2012 IN CC NO.46 OF 2011 OF JUDICIAL MAGISTRATE OF FIRST CLASS, NILAMBUR

REVISION PETITIONER/APPELLANT/ACCUSED NO.1:

NISAMUDHEEN @ NISAM, AGED 35 YEARS
S/O. MOHAMMED, PUTHUKUDI HOUSE, PARAMMAL PUTHOOR, KOTTAKKAL, MALAPPURAM DISTRICT, PIN - 676503

BY ADVS. P.MOHAMED SABAH
LIBIN STANLEY, SAIPOOJA
SADIK ISMAYIL, R.GAYATHRI
M.MAHIN HAMZA, ALWIN JOSEPH
BENSON AMBROSE

RESPONDENT/RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM, PIN – 682031

SRI. M.P. PRASANTH, PP

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07.04.2025, ALONG WITH Crl.Rev.Pet.301/2025 AND CONNECTED CASE, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

CRL.REV.PET NO. 312 OF 2025

CRIME NO.895/2010 OF Nilambur Police Station, Malappuram
AGAINST THE JUDGMENT DATED 17.11.2015 IN Crl.A NO.323 OF 2012 OF ADDITIONAL SESSIONS COURT - II, MANJERI ARISING OUT OF THE JUDGMENT DATED 30.10.2012 IN CC NO.94 OF 2011 OF JUDICIAL MAGISTRATE OF FIRST CLASS, NILAMBUR

REVISION PETITIONER/APPELLANT/ACCUSED NO.1:

NISAMUDHEEN @ NISAM, AGED 35 YEARS
S/O. MOHAMMED, PUTHUKUDI HOUSE, PARAMMAL PUTHOOR, KOTTAKKAL, MALAPPURAM DISTRICT, PIN - 676503

BY ADVS. P.MOHAMED SABAH
LIBIN STANLEY, SAIPOOJA
SADIK ISMAYIL, R.GAYATHRI
M.MAHIN HAMZA, ALWIN JOSEPH
BENSON AMBROSE

RESPONDENT/RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM, PIN – 682031

SRI. M.P. PRASANTH, PP

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07.04.2025, ALONG WITH Crl.Rev.Pet.301/2025 AND CONNECTED CASE, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

The above Crl.M.As are filed to condone the delay of 3311, 3311 and 3395 days respectively in filing the revision petitions.

2. I have heard the learned counsel for the petitioner as well as the learned Public Prosecutor.

3. I have perused the affidavits filed in support of the applications to condone the delay. The reason shown in the affidavits is that the revision petitioner was not informed about the disposal of the appeals filed by him by the counsel. Apart from such vague allegation, there is nothing to substantiate the same. It is also stated in the affidavits that in the meantime, he went abroad in connection with his job and he was in Qatar since 2023. No document has been produced to substantiate the said contention. The delay is almost ten years. That apart, the learned Prosecutor submitted that altogether fourteen crimes of similar nature are registered against the petitioner and in most of the cases he was convicted also. Since the petitioner has failed to offer reasonable cause for the delay, I see no reason to condone the delay. Accordingly, the delay condonation applications are dismissed.

Consequently, the criminal revision petitions are also dismissed.

Sd/-

DR. KAUSER EDAPPAGATH

JUDGE

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