

ITEM NO.101
Part-heard

COURT NO. 8

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CRIMINAL APPEAL NO(s). 1528 OF 2005

CHANDRAN @ MANICHAN @ MANIYAN

Appellant (s)

VERSUS

STATE OF KERALA

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment)

WITH
Criminal Appeal No.1530/2005
(With appln. for exemption from filing C/C of the impugned judgment and office report)
Criminal Appeal No. 1529 of 2005
(With appln. for exemption from filing O.T. and with office report)
Criminal Appeal No. 1531 of 2005
(With appln. for bail and with office report)
Criminal Appeal No. 1532 of 2005
(With appln. for bail and with office report)
SLP(Crl.) No. 842 of 2006
[with appln. for exemption from filing OT and with office report)
Criminal Appeal No. 800 of 2006
(With office report)
SLP(Crl.)...CRLMP No. 15407/2010
[with appln. For c/delay in filing SLP and office report)

Date: 21/09/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Appellant(s)
Crl. A. No. 1528

Mr. K. Radhakrishnan, Sr. Adv.
Mr. K.K. Mani, Adv.
Mr. Abhishek Krishna, Adv.
Mr. R. Shivkumar, Adv.
Mr. Adolf Mathew, Adv.

Crl. A. No.1530

Mr. Siddhartha Dave, Adv. for
Mr. A. Raghunath, Adv.
Ms. Jemtiben AO, Adv.

Crl.A. 1529

Mr. C.N.Sreekumar, Adv.

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Mr. G. Prakash, Adv.

Crl.A. 1531

Ms. Malini Paduval, Adv.
Ms. Babita Sant, Adv.

SLP(Crl.)....
CRLMP 15407/10

Mr. C.M.Jayakumar, Adv.
Mr. A.D. Sikri, Adv.

Crl.A. 1532

Mr. V. Giri, Sr. Adv.
Ms. Malini Poduval, Adv.

Ms. Babita Sant, Adv.
Mr. Mohd. Siddique, Adv.

Crl.A. 800 Ms. Asha Gopalan Nair, Adv.

SLP(Crl.)842 Mr. V.Shekhar, Sr. Adv.
Ms. Rajasree Ajay, Adv.
Mr. S.Ganesh, Adv.
Ms. Deepakshi Jain, Adv.
Mr. V.K. Sidharthan, Adv.

For Respondent(s)
Crl.A. No. 1528 Mr. A. Sharan, Sr. Adv.
Mr. J.C. Gupta, Sr. Adv.
Mrs. S. Geetha, Adv.
Mr. Mohan Raj, Adv.
Mr. R. Sathish, Adv.
Mr. G.S.Mani, Adv.

UPON hearing counsel the Court made the following
O R D E R

Ms. Malini Poduval, learned counsel appearing for the appellant in Criminal Appeal No. 1531 of 2005 resumed her arguments at 10.30 a.m. and concluded at 11.05 a.m. Thereafter Mr. V.Shekhar, learned senior counsel appearing for the appellant in SLP (Crl.) No. 842 of 2006 commenced his arguments at 11.05. a.m. and concluded at 2.35 p.m. Thereafter Mr. C.N.Sreekumar, learned counsel for the appellant in Crl. A.No. 1529 of 2005 commenced his arguments at 2.35 a.m. and concluded at 2.50 p.m.

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Criminal Appeal No. 1529 of 2005 is dismissed in terms of the signed order.

Crl.M.P. No. 15407 of 2010 :

The abovesaid petition is delayed by 2016 days which is not satisfactorily explained. Even otherwise, we do not find any merit in this petition. Crl.M.P. is dismissed on the ground of delay as well as on merits.

Crl.A. No. 800 of 2006:

The appeal is disposed of as having become infructuous in terms of the signed order.

Mr. A.Sharan learned senior counsel appearing for the respondent in Crl. A. No. 1528 of 2005 commenced his

arguments at 3.45 p.m. and was on his legs when the Court rose for the day leaving the matter as part-heard.

List on 22.09.2010 as part-heard on the top of the Board.

(Shashi Sareen)
Court Master

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master

(Signed orders in CrI. A. Nos. 1529/2005 and 800/2006 are placed on the file)

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 800 OF 2006

HEIRUNNESA @ THATHA ... Appellant(s)

Versus

STATE OF KERALA ... Respondent(s)

O R D E R

It is stated by Ms. Asha G.Nair, learned counsel appearing for the appellant that the accused-appellant Heirunnesa @ Thatha has died.

In view of the above, this appeal has become infructuous and is, accordingly, disposed of as such.

.....J.
(V.S.SIRPURKAR)

.....J.
(CYRIAC JOSEPH)

New Delhi,
September 21, 2010.

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1529 OF 2005

SAMUEL @ CHUTTI SAMUEL

...APPELLANT

VERSUS

STATE OF KEARAL

...RESPONDENT

O R D E R

1. We have heard learned counsel appearing for the parties and gone through the judgments of the trial court and the High Court.

2. It is clear from the findings that it was accused Sameul @ Chutti Samuel who sold the spurious liquor to PW 161 Raghavan Pillai who lost his sight after consuming the same. It has also been brought on record by PW 161 Raghavan Pillai that it was accused Samuel @ Chutti Samuel who sold him the liquor in a glass at Rs. 20/-.

3. In view of this confirmed findings of fact, we do not wish to interfere with the impugned judgment.

4. Mr. C.N. Sreekumar, learned counsel appearing for the appellant then urged that we should show some consideration in the matter of sentence.

5. Considering the fact that one person lost his vision, we

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do not think that we would interfere in the matter even on the sentence. According to us, the sentence of rigorous imprisonment of two years is on the lenient side.

6. No other contention was raised.

7. This appeal has no merits which is, accordingly, dismissed.

.....J.
[V.S. SIRPURKAR]

.....J.
[CYRIAC JOSEPH]

NEW DELHI
SEPTEMBER 21, 2010.