

(2024) 11 KL CK 0125
In the High Court Of Kerala
Case No : Criminal Appeal No. 1874 Of 2007

M.J.Paul

APPELLANT

Vs

N.J.Sholy And Another

RESPONDENT

Date of Decision : 28-11-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 394(1)
Negotiable Instruments Act, 1881 — Section 138

Citation : (2024) 11 KL CK 0125

Hon'ble Judges : Sophy Thomas, J

Bench : Single Bench

Advocate : C.A.Chacko, M.C.Ashi

Final Decision : Dismissed

Judgement

Sophy Thomas, J

This appeal is at the instance of the complainant in ST No.1639 of 1997 on the file of Judicial Magistrate of First Class-II, Thrissur, challenging acquittal of the accused under Section 138 of the Negotiable Instruments Act (N.I.Act for short), vide judgment dated 24/11/2000.

Today when the appeal is taken up for consideration, learned Public Prosecutor made available, report of the Commissioner of Police, Thrissur City, stating that the 1st respondent/accused is no more, and copy of his death certificate also is produced, which shows that he passed away on 6/10/2021. This being an appeal against acquittal of the accused, on his death, the appeal will abate, as per Section 394(1) of Cr.P.C.

In the result, the appeal is dismissed as abated.