

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT THE HONOURABLE MR. JUSTICE ASHOK MENON
FRIDAY, THE 08TH DAY OF MAY 2020 / 18TH VAISAKHA, 1942

CRIMINAL APPEAL NO.2923 OF 2008
(AGAINST THE JUDGEMENT DATED 18.11.2008 IN C.C. NO.9/2005 ON THE
FILES OF COURT OF THE ENQUIRY COMMISSIONER & SPECIAL JUDGE,
THIRUVANANTHAURAM)

APPELLANT/ 1ST ACCUSED:

KESAVAN NAIR,
FORMERLY U.D. CLERK
SREE SWATHI THIRUNAL COLLEGE OF MUSIC,
THIRUVANANTHAPURAM.

BY ADV.SRI.KALEESWARAM RAJ

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

BY SRI.C.S.HRITHWIK, SR.PP

THIS CRIMINAL APPEAL HAVING COME UP FOR HEARING ON
08.05.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The appellant has been found guilty for offences punishable under Sections 13(1)(c) and 13(2) of the Prevention of Corruption Act, 1988 and Sections 409, 477-A and 120-B of the I.P.C. and convicted thereunder and the conviction has been upheld by this Court.

2. The learned Counsel for the appellant submits that he is unable to file an S.L.P. before the Hon'ble Supreme Court considering the outbreak of COVID-19 and the lockdown caused by the pandemic. Therefore, he seeks indulgence of this court.

3. Heard the learned Senior Public Prosecutor and the learned Counsel for the appellant.

4. The appellant has to undergo sentence and for that purpose, he will have to surrender or be arrested. It is also pointed out that the appellant is aged 70 and is handicapped. But considering the pandemic

situation and his inability to approach the Apex Court for relief, the Government can take appropriate steps with regard to the grievances of the appellant and decide as to whether the appellant has to be immediately proceeded against to undergo the sentence. With the above observation, the Criminal Appeal is disposed of.

ASHOK MENON

Judge

dkr