

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

REVIEW PETITION (CRL.) NO. 665 OF 2017

IN

SPECIAL LEAVE PETITION (CRL) NO. 676 OF 2017

JAYAPRAKASAN

....PETITIONER(S)

VERSUS

THE STATE OF KERALA

.... RESPONDENT(S)

O R D E R

A plea has been taken by learned counsel for the petitioner that the petitioner is mentally ill. At this stage, we are not inclined to accept the same and the same is hereby dismissed.

Petitioner was convicted by Sessions Judge for the offences punishable u/s 3(1) (X) & 3(1) (XI) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989 and Sections 341, 355 IPC. Aggrieved by the conviction and sentence, the petitioner filed a criminal appeal before the High Court. The High Court upheld the conviction of the petitioner in appeal. Thereafter the special leave petition was dismissed by this Court. Subsequently, after that a review petition has been filed by the petitioner on the ground that the petitioner is mentally ill and vide order dated 13.11.2018 this Court had directed respondent/State to get the instructions in the matter. An affidavit which has

been filed states from the available evidence gathered that the petitioner in 2018 was suffering from mental illness. But there is no evidence to the effect that in 2006 the petitioner had any kind of mental illness.

Under these circumstances, plea taken under Section 85 cannot be accepted.

The review petition is dismissed.

Pending application(s), if any, shall stand disposed of.

.....J.
(SUDHANSHU DHULIA)

.....J.
(PRASANNA B. VARALE)

NEW DELHI,
February 28, 2024

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

R.P.(Cr1.) No. 665/2017 in SLP(Cr1) No. 676/2017

JAYAPRAKASAN

Petitioner(s)

VERSUS

THE STATE OF KERALA

Respondent(s)

Date : 28-02-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE

For Petitioner(s) Mr. Prashant Padmanabhan, AOR

For Respondent(s) Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Mrs. Ashly Harshad, Adv.
Mr. Shivam Sai, Adv.
Ms. Mansha Shukla, Adv.

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

The review petition is dismissed in terms of signed
order.

Pending application(s), if any, shall stand disposed of.

(NEETA SAPRA)

COURT MASTER (SH)

(Signed order is placed on the file)

(RENU BALA GAMBHIR)

COURT MASTER (NSH)