

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

CRL.A.No. 1828 of 2004 ()

AGAINST THE ORDER IN CC 547/2000 of JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, ALAPPUZHA DATED 12-08-2003

AGAINST THE ORDER IN CrI.L.P. 526/2004 of HIGH COURT OF KERALA DATED
04-10-2004

APPELLANT(S)/COMPLAINANT:

YOHANNAN, TONY VILA,
THATHAMPALLY,
ALAPPUZHA.

BY ADV. SRI.JOMY GEORGE

RESPONDENT(S)/ACCUSED & STATE:

1. K.O.VASUDEVAN, KORAMPARAMBU,
NEAR POOJAVELIYIL TEMPLE,
MUHAMMA P.O., ALAPPUZHA.
2. STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

R1 BY ADVS. SRI.R.HARIKRISHNAN
SRI.SUDHEENDRAN. K.Y.
SRI.N.ASHOK KUMAR

R2 BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON 20-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

dlk

C.T.RAVIKUMAR, J

Crl.A.Nos. 1828 of 2004

Dated this the 20th day of July, 2015

JUDGMENT

The captioned appeal is filed against the order of acquittal passed by the Court of the Judicial First Class Magistrate-I, Alappuzha in C.C.No.547/2000. The appellant-complainant died during the pendency of the appeal. No application for substitution has been filed by the legal heirs though admittedly, the death of the appellant took place more than 30 days ago. By virtue of provisions under section 394(2) of the Code of Criminal Procedure the appeal is abated on the death of the appellant. In the said circumstances, taking note of the factum of the death of the appellant reported by the learned counsel for the appellant, this appeal is dismissed as it being abated on the death of the appellant.

Sd/-

C.T.RAVIKUMAR,JUDGE.

dlk

