

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

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CRIMINAL APPEAL No.290 OF 2015

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JUDGMENT:

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This appeal is preferred under Section 372 Cr.P.C. challenging the judgment dated 26.06.2014 in C.C.No.467 of 2008 on the file of the X Metropolitan Magistrate, Cyberabad at Malkajgiri, Ranga Reddy District.

The appellants herein are the *de facto* complainants. By the impugned judgment, the Court below had acquitted all the respondents/accused of the offences punishable under Sections 448, 324 and 506 read with Section 34 of I.P.C.

The incident in question out of which this appeal arises is alleged to have occurred on 20.03.2007. The proviso to Section 372 Cr.P.C., which has given victims of crime the right to file an appeal was brought into the statutory book with effect from 31.12.2009 vide Act 5 of 2009 by the Parliament. In ***D. Sudhakar v. Panapu Sreenivasulu @ Evona Water Srinivasulu***, a Division Bench of this Court had held that if the incident, out of which the appeal arises, had occurred prior to 31.12.2009, then the victims of crime cannot prefer an appeal invoking the proviso to Section 372 Cr.P.C., and that the proviso introduced by way of the said amendment has only prospective in operation.

Having regard to the above judgment, I am of the opinion that this Criminal Appeal is not maintainable and the same is dismissed with liberty to the appellants to avail any other remedy available to them in law.

As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

**M.S.
RAMACHANDRA RAO, J**

Date:15.04.2015

Note:- Registry is directed to return the C.C.

of the judgment in C.C.No.467 of 2008

to the learned counsel for the appellants

immediately.

(B/o)

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