

Crl.A.No.1290 of 2014

JUDGMENT :

None appears for appellant.

2. This Appeal is filed under Section 372 of Cr.P.C. by the victim challenging the judgment dt.22.11.2010 in C.C.No.261 of 2005 on the file of Special Judicial First Class Magistrate for PCR Cases, Warangal acquitting 1st respondent of having committed offences under Section 498-A and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. The incident on the basis of which the Calendar Case No.261 of 2005 was filed relates to the period before 31.12.2009.

4. The present appeal is filed under proviso to Section 372 Cr.P.C. which has come into effect from 31.12.2009.

5. In **D. Sudhakar v. Panapu Sreenivasulu**^[1], a Division Bench of this Court held that an appeal under the proviso to Section 372 Cr.P.C. by a victim cannot be filed, if the incident in respect of which the CC was filed, had occurred prior to 31.12.2009.

6. Therefore, following the said judgment I hold that this Criminal Appeal is not maintainable, and is accordingly dismissed.

7. Miscellaneous applications, pending if any, in this Criminal Appeal, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 24-02-2015

Ndr/*

[\[1\]](#) 2013 (1) ALD (CrI.) 366 (A.P.)