

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 23-06-2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.APPEAL No.761 of 2013

Maha alias Mahalingam

Appellant

-vs-

State by
Inspector of Police,
Virudampet Police Station,
Vellore District.
(Cr.No.91/2009).

Respondent

Appeal against the judgment, dated 11.11.2013, made
in S.C.No.33 of 2010 on the file of Principal District
Sessions Court, Vellore.

For appellant : Mr.R.Sankarasubbu

For respondent : Mr.M.Maharaja,
Additional Public Prosecutor.

JUDGMENT

(Judgment of the Court was delivered by S.Nagamuthu,J.)

This appeal has been filed by the second accused in
S.C.No.33 of 2010 on the file of Principal Sessions Court,
Vellore. He has been convicted for the offence under Sections
341 and 302 IPC and sentenced to undergo rigorous imprisonment
for one month for the offence under Section 341 IPC and pay
fine of Rs.500/-, in default, to undergo rigorous imprisonment
for one week; and to undergo life imprisonment for the
offence under Section 302 IPC and pay fine of Rs.10,000/-; in
default, to undergo rigorous imprisonment for three years.

2. Today, when the appeal was taken up, the learned
counsel for the appellant on record submitted that
Mr.Mahalingam, the appellant herein, is no more, as he was
murdered. The learned Additional Public Prosecutor appearing
for the State also submitted that the appellant died on
05.09.2015 and, in connection with his death, a case was
registered in Crime No.544 of 2015 on the file of Vellore

North Police Station, under Section 302 IPC. The said Statement is recorded.

3. From the above statement, it is clear that the appellant is no more. No one has also come forward to prosecute the case on his behalf. Thus, this appeal stands abated.

4. In the result, this Criminal Appeal is dismissed, as abated.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District & Sessions Judge,
Vellore.

2.The Inspector of Police,
Virudampet Police Station,
Vellore District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.

CRL.A.No.761 OF 2013

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