

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL APPEAL No.1233 of 2006

Date:28.03.2016

Between:

Kanaparthi Yesuratnam,
S/o Krishna @ Kistaiah
and four others.

**.....Appellants/
Accused**

And:

The State of A.P., repled by the
Public Prosecutor

.....Respondent

Counsel for the Appellants: Mr. C.Sharan Reddy
For Smt D.Sangeetha Reddy

Counsel for the Respondent: Public Prosecutor (AP)

The Court made the following:

JUDGMENT: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This Criminal Appeal is posted before the Court on remand from the Supreme Court for considering the case of appellant No.3 (accused No.4) afresh based on the evidence on record.

When the appeal was posted before us on

21.3.2016, the learned counsel who appeared for the appellants, during the previous round of litigation before remand, submitted that appellant No.3 was not in touch with their office and that therefore, he has no instructions. In view of the said representation, this Court has issued urgent notice to appellant No.3.

Today, the Registry has placed before the Court the letter, dated 26.3.2016, addressed by the Special Judge for trial of offences under the SCs and STS (POA) Act, 1989-cum- VII Additional District and Sessions Judge, Ongole, Prakasam District, wherein it is stated that the notice sent to appellant No.3 was returned along with the report of the Station House Officer, Vetapalem Police Station that appellant No.3 (accused No.4), viz., Jajjera Deveedu, S/o James, died on 14.9.2010 at Hasthinapuram, Chirala Mandal, Prakasam District. A copy of the death certificate issued by Devangapuri Gram Panchayat is enclosed to the report.

In view of the fact that appellant No.3 (accused No.4) died, the Criminal Appeal *qua* him abated and the same is, accordingly, dismissed as such.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE M.S.K.JAISWAL

*28th March 2016
DR*