

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2017

Coram

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Criminal Appeal No.627 of 2007

Sankar

.. Appellant

Vs.

D.Rajadurai

... Respondent

Criminal Appeal filed under Section 378 Cr.P.C. to set aside the order of acquittal passed on 18.04.2007 in C.A.No.95 of 2005 on the file of the learned II Additional Sessions Judge at Pondicherry against the order of conviction passed by the learned Judicial Magistrate No.II Pondicherry, in C.C. 130 of 2003 dated 19.10.2005

For Appellant : Mr.A.Ramesh
for M/s. Ram & Ram

For Respondent : Mr.Raja Senthoo Pandian

JUDGMENT

The present Criminal Appeal has been filed challenging the order of acquittal under Section 138 of the Negotiable Instrument Act passed in C.A.No.95 of 2005, dated 18.04.2007 by the learned II Additional Sessions Judge at Pondicherry.

2.Today, when the above Criminal Appeal is taken up for hearing, the learned counsel for the appellant has submitted that pending appeal, the sole respondent died on 24.10.2011 and the appellant/complainant has not taken any steps to implead the legal representatives of the deceased sole respondent.

3.The learned counsel for the appellant has filed a Memo dated 17.02.2017 enclosing a copy of the death certificate of the sole respondent dated 20.11.2012.

4. Recording the Memo dated 17.02.2017 on the death of the sole respondent, the Criminal Appeal is dismissed as abated.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1. The II Additional Sessions Judge,
Pondicherry.
2. The Judicial Magistrate No II, Pondicherry
3. The Public Prosecutor,
High Court, Madras.

copy to

The Section Officer
Criminal Section
High Court, Madras

+1 CC to Mr. Raja Senthoo Pandiyan, Advocate sr 10573

Crl.A.No.627 of 2007

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