

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2017

CORAM

THE HONOURABLE Mr.JUSTICE N.AUTHINATHAN

CRL.A.No.661 of 2016

D.Bindhu

... Appellant/Defacto Complainant

Vs

1. Balaji

2. A.R.Jagamohan

3. Baby

4. The Deputy Superintendent of Police,
Vellore Sub-Division,
Vellore.

... Respondents

PRAYER:

Criminal Appeal filed under Section 372 of the Criminal Procedure Code against the Judgment of Acquittal dated 06.06.2016 passed by the learned Principal Sessions Judge, Vellore in Spl.S.C.No.1/2009 acquitting the Respondents 1 to 3 herein as also Accused No.4, from the charges for offences under sections 498(A), 420, 294(b) IPC and Section 4 of the Dowry Prohibition Act and Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, even while there is unassailable evidence to convict and sentence the Respondents 1 to 3/Accused 1 to 3 for the offences U/s.294(b) IPC and Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act and prays to call for the entire records of the case and set aside the said judgment of acquittal in so far as the

Respondents 1 to 3 herein are concerned and convict and sentence them for the said offences.

For Appellant	:Ms.R.Gobika for M/s.S.Sathia Chandran
For Respondents1 to 3	:Adithya Varadarajan for Mrs.K.V.Law Firm
For 4th respondent	:Mr.K.Mathan Government Advocate(Crl. Side)

JUDGMENT

The Appellant is said to be the victim concerned in Special S.C.No.1 of 2009 on the file of the learned Principal Sessions Judge, Vellore. The case against the accused persons is for the offence under Section 294(b), 498(A), 420 of IPC and Section 4 and 3(1)(x) of SC & ST Act. The victim is said to be the wife of the first accused and the other accused are relatives of the first accused. After full trial, the Trial Court acquitted the accused of the said offences. The petitioner, who preferred an appeal in terms of Proviso to Section 372 of Cr.P.C., now seeks permission of this court to withdraw the appeal.

2. The learned counsel for the petitioner, by his letter dated

07.09.2017, requested the registry to list the above Criminal Appeal for

withdrawal and hence the matter is listed today under the caption "for withdrawal".

3. The learned counsel for the appellant would submit that the petitioner does not want to prosecute the appeal, as she has settled the outstanding issues out of court and seeks permission to withdraw the appeal. He has also made an endorsement on the appeal petition to that effect. As already noticed, the victim is the wife of the first accused.

4. Having regard to the relationship between the parties and in view of the above submission that they want to settle the issue out of court, I am inclined to permit the appellant to withdraw the appeal.

5. Accordingly, the Criminal Appeal is dismissed as withdrawn.

14.09.2017

Index : Yes/No

Internet : Yes

mst

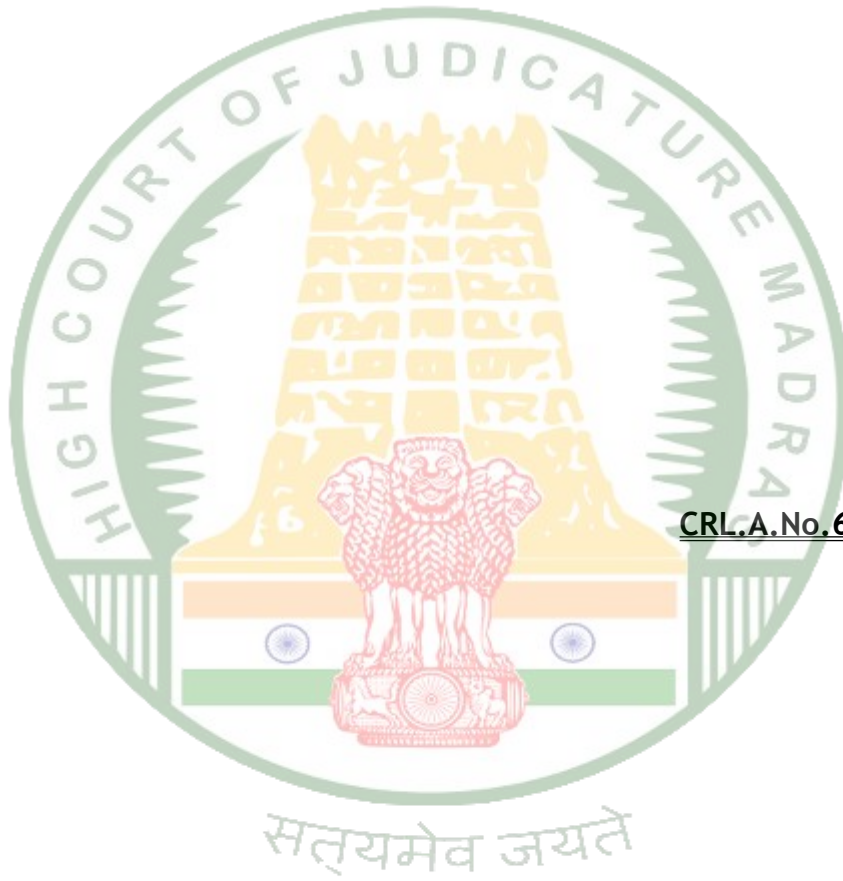
To

The Deputy Superintendent of Police,
Vellore Sub-Division,
Vellore.

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N.AUTHINATHAN, J.

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