

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.1438 OF 2006

JUDGMENT:

Learned counsel, Sri K. Venkat Rao, would submit that revision petitioner - PW.1 - Smt. K. Rajeswaramma is no more and she died two years back, of course, no death certificate is filed.

2. The present Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure, 1973, challenging the order of acquittal recorded by the learned Judicial Magistrate of First Class, Yemmiganur, Kurnool District, in his judgment, dated 15.06.2006, in C.C. No.98 of 2004, where the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961 were alleged.

3. Before the learned Magistrate's Court, PWs.1 to 5 were examined, besides marking Exs.P1 to P-3 on behalf of the complainant - State. Whereas, on behalf of respondent Nos.1 to 4 – accused Nos.1 to 4, Exs.D-1 to D-11 were exhibited which relate to the proceedings in M.C. No.2 of 2004, relevant portions in the deposition of PW.1 in the very same case.

4. Be that as it may, when there is none to continue the proceedings, in fact, the present case has to be dismissed as abated. Even otherwise, looking at the findings drawn by the learned

Magistrate, on an examination, certainly, they do not warrant interference as they cannot be treated as legally infirm or patently illegal as the ingredients of Section 498-A IPC have not been satisfactorily proved by the prosecution.

5. Therefore, the present Criminal Revision Case is dismissed.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the criminal revision case, stand closed.

December 12, 2017.
Mgr

A. SHANKAR NARAYANA, J

