

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL APPEAL No.71 OF 2008

JUDGMENT:

No representation for the appellant-complainant despite the matter being listed under the caption 'for dismissal'. There is also no representation on behalf of the respondent-accused.

2. This appeal is filed by the appellant-complainant against the judgment, dated 23.08.2007 in C.C.No.177 of 2002 passed by the Judl. Magistrate of I Class, Tuni, East Godavari District.

3. The trial Court while dealing with the subject matter of the appeal, after analyzing the entire evidence on record, came to the conclusion that P.W.1 filed complaint after four years three months of the assessment year. It is established that the appellant failed to follow the mandatory provisions under Section 12 (A), (B) & (C) of Agricultural Markets Act, 1966 and Amendment Act, 1987. The appellant is not entitled to recover the market fee from the accused and ultimately held that the respondent-accused cannot be found guilty for the offence under Section 12 (1) of A.P. (AP & LS) Markets Act, 1966 and Amended Act, 1987 r/w Rule 74 of Market Rules, 1969 and acquitted the respondent-accused under Section 255 (1) Cr.P.C.

4. No infirmity is found in the order of the trial Court.

5. Therefore, the appeal is dismissed and the judgment passed by the Judl. Magistrate of I Class, Tuni, dated 23.08.2007 in C.C.No.177 of 2002 is confirmed.

Miscellaneous petitions, if any pending in this appeal shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 23-11-2017

Hsd

