



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2018

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.A.No.492 of 2008

N.Kisan,
S/o.Namdev.

... Appellant/Complainant

Vs.

B.Viswas Jadhav,
S/o.Babu Rao.

... Respondent/Accused

PRAYER: Criminal Appeal is filed under Section 378 of the Code of Criminal Procedure, to set aside the Judgment of acquittal of the accused by the Learned Judicial Magistrate No.5, Coimbatore by its Judgment dated 28.04.2008 in C.C.No.626 of 2004.

For Appellant : Mr.Swamy Subramanian for
Mr.R.John Sathyan

For Respondent : Died

O R D E R

The respondent has not appeared in this case, despite notice served on the respondent. It is found from the records that the notice was taken through the Court and Police, the Sub-Inspector of Police, B1 Kadai Veethi Police Station, Coimbatore had given a report that the respondent had moved out to Maharashtra from the address and his whereabouts were not known and also stated that the respondent had passed away and he is no more.

2.The Junior Bailiff of the Principal District Court, Coimbatore has also submitted a report on 06.07.2018 stating that the respondent is not residing there and his whereabouts was not known to the neighbours.

3.All the reports reveal that the respondent is not there in the said address. Today, the learned counsel for the appellant had made an endorsement and withdrawn the appeal.



4. In view of the endorsement made by the learned counsel for the appellant, the Criminal Appeal is dismissed as withdrawn.

WEB COPY

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vv2

To

1. The Judicial Magistrate Court No.5,
Coimbatore.
2. The Public Prosecutor,
High Court, Madras.
3. The Section Officer,
Criminal Section,
High Court, Chennai-104.

Cr1.A.No.492 of 2008

ppa[col
srg 10/12/2018