

**THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD**

CRIMINAL APPEAL No.855 of 2011

DATE: 26.06.2018

Between:

Smt. Dadi Vijayalakshmi

....Appellant

and

The State of Andhra Pradesh
rep.by Public Prosecutor

....Respondent

COUNSEL FOR THE APPELLANT : Sri C.S. Venkatesh

COUNSEL FOR THE RESPONDENT : Public Prosecutor



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JUDGMENT: (Per the Hon'ble Sri Justice C.V. Nagarjuna Reddy)

A.6 in S.C.No.273 of 2006 on the file of VIII Additional Sessions Judge, East Godavari District, Rajahmundry, filed this appeal against judgment, dated 09.04.2007 whereby she along with A.1 and A.2 was convicted for the offence punishable under Section 302 IPC read with Section 120-B IPC.

At the hearing, it is submitted by the learned counsel for the appellant and also the learned Public Prosecutor that the impugned judgment is also the subject matter of CrI.A.No.491 of 2007 filed by A.1 and A.2 and by judgment dated 29.09.2010, this Court acquitted both of them.

The learned Public Prosecutor fairly submitted that in the light of the said judgment, the appellant is also entitled to acquittal. He however submitted that as the appellant has served the sentence imposed on her, she was freed from the imprisonment by extending the benefit of remissions to her and therefore, the appeal need not be adjudicated on merits.

Sri C.S. Venkatesh, learned counsel for the appellant, has agreed with the submissions of the learned Public Prosecutor.

As the appellant has already been released, further adjudication of the appeal on merits is not necessary.

Hence, the appeal is disposed of as infructuous.

26th JUNE, 2018.

C.V. NAGARJUNA REDDY, J

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GUDISEVA SHYAM PRASAD, J

