

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL APPEAL No.1317 of 2006

JUDGMENT:

This criminal appeal is preferred by the State represented by the Public Prosecutor, under Section 378(3) & (1) of Cr.P.C., challenging the judgment dated 25.1.2005 in Criminal Appeal No.99 of 2000 on the file of the Court of the Sessions Judge, Srikakuolam, wherein and whereby the conviction imposed against the respondent-Accused No.2 for the offence under Section 409 read with 109 of IPC and sentencing him to undergo rigorous imprisonment for a period of three years and also to pay a fine of Rs.5,000/- in default to suffer simple imprisonment for a period of six months vide judgment dated 04.8.2000 in C.C.No.2 of 1991 on the file of the Court of Judicial Magistrate of First Class, Srikakulam, was set aside.

2. At the time of hearing, learned Public Prosecutor submitted that the respondent-Accused No.2 died during the pendency of the appeal. The learned counsel for the respondent supported the same. The learned Public Prosecutor filed a copy of the death certificate of the respondent.

3. Accordingly, the criminal appeal is dismissed as abated. Miscellaneous petitions, if any pending in this appeal, shall stand closed.

T.SUNIL CHOWDARY, J

Date: 01.2.2018
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