

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 02.01.2019****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****Crl.A.No.1444 of 2004
And
Crl.R.C.No.34 of 2005****Crl.A.No.1444 of 2004:**

State: Rep. By
The Inspector of Police,
Central Crime Branch, V Team
Egmore, Chennai – 600 008.
Cr.No.432/2002

... Appellant

Vs.

K.Balasigamani

... Respondent

Prayer:

Appeal filed under Section 378 of Cr.P.C. seeking to set aside the order of acquittal passed by the lower appellate court in C.A.No.291/2003, dated 25.08.2004 on the file of Learned III Additional Sessions Judge, Chennai made therein by reversing the judgment dated 22.9.2003 in C.C.No.242/2003 on the file of XI Metropolitan Magistrate, Saidapet, Chennai and convict the accused and that the accused be convicted of the offence as charged.

For Appellant : Mr.R.Ravichandran
Government Advocate (Crl. Side)

For Respondent : Mr.T.K.Ashok Kumar

Crl.R.C.No.34 of 2005:

P.Dharamchand

... Petitioner

Vs.

1.K.Balasigamani

2.State represented by Inspector
Of Police, Central Crime Branch,
Egmore, Chennai – 600 008.

... Respondents

Prayer:

Revision filed under Sections 397 and 401 of Cr.P.C. against the judgment of acquittal passed in C.A.No.291 of 2003 dated 25.08.2004 on the file of the learned III Additional Sessions Judge, Chennai in reversing the judgment of conviction and sentence passed in C.C.No.242 of 2003 dated 22.09.2003 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai for the offences under Sections 120-B of IPC, 409 IPC, 420 r/w 120-B of IPC, 465 of IPC, 468 of IPC, 471 r/w 468 IPC in so far as the first Respondent is concerned and prays for setting aside the judgment of acquittal made in C.A.No.291 of 2003 dated 25.08.2004 on the file of the learned III Additional Sessions Judge, Chennai and remand the said Criminal Appeal No.291 of 2003 to the Court of Sessions, Chennai to deal with the case in accordance with the law.

For Petitioner : Mr.R.Natarajan

For Respondents : Mr.T.K.Ashok Kumar for R1

Mr.R.Ravichandran for R2

Government Advocate (Crl. Side)

J U D G M E N T

The learned Government Advocate (Crl. Side) appearing for the appellant in Crl.A.No.1444 of 2004 and the learned counsel appearing for the petitioner in Crl.R.C.No.34 of 2005 submitted that the respondent in Crl.A.No.1444 of 2004/ first respondent in Crl.R.C.No.34 of 2005 / A1 died during the pendency of the appeal and revision.

2.In view of the above submission, the criminal appeal as well as the criminal revision as against A1 is dismissed as abated.

02.01.2019

pri

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

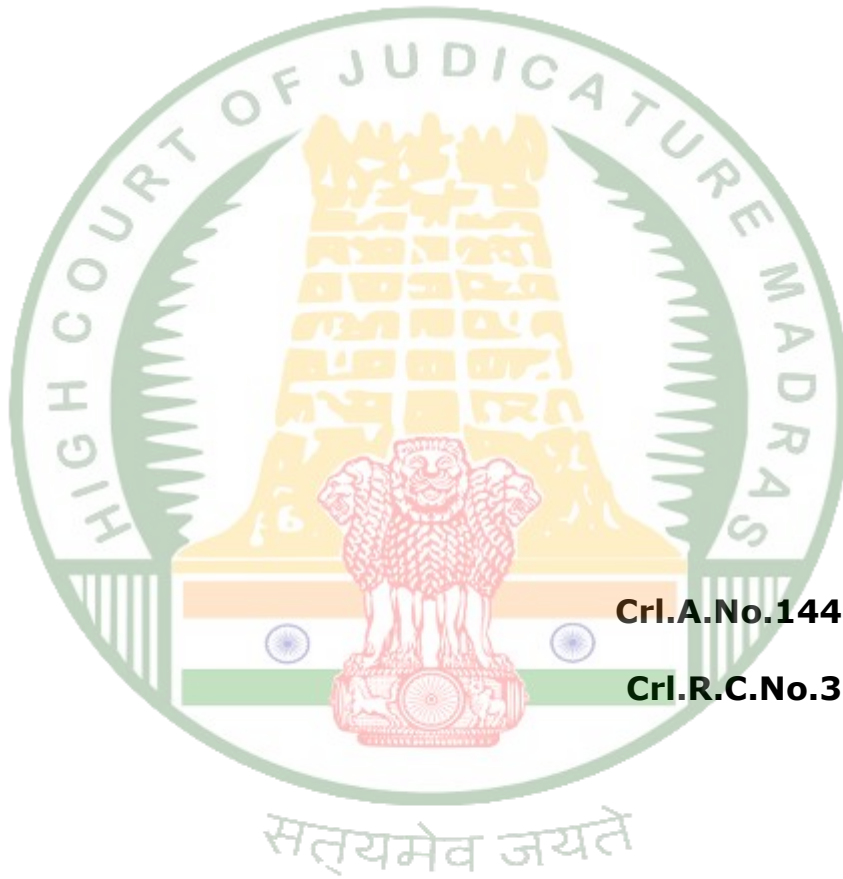
WEB COPY

To

- 1.The III Additional Sessions Judge, Chennai.
- 2.The XI Metropolitan Magistrate, Saidapet, Chennai.
- 3.The Inspector of Police,
Central Crime Branch, V Team,
Egmore, Chennai – 600 008.

M.DHANDAPANI,J.

pri



**Crl.A.No.1444 of 2004
And
Crl.R.C.No.34 of 2005**

WEB COPY

02.01.2019