

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL APPEAL No.594 of 2008

JUDGMENT:

This Criminal Appeal is filed by the appellant – complainant against the acquittal recorded by the Additional Judicial Magistrate of First Class in C.C.No.633/2001 by Judgment dated 26.11.2007 acquitting the accused of the offences under Sections 499 and 500 of IPC.

Heard learned counsel for the appellant and perused the record.

Learned counsel for the appellant would contend that the accused has insulted the appellant at the instance of his landlord and one P. Raghu, who wanted to purchase the premises, in which, the appellant is residing. There is ample evidence on record to substantiate the accusation against the accused for the offence punishable under Section 500 IPC. The trial Court acquitted the accused for the offence punishable under Section 500 IPC which is erroneous and ultimately, prayed to set aside the acquittal order by convicting and sentencing the accused for the offence punishable under Section 500 IPC.

In spite of service of notice, there is no representation on behalf of respondent No.1/accused.

The appellant has made several allegations against the accused stating that he and his family members were ostracized by their community people at the instance of respondent No.1/accused which caused enormous mental torture, agony and distress to him and his family members. Respondent No.1/accused defamed the appellant in the society and also destroyed his social status, reputation etc. Except the appellant, no person has supported them. The imputation alleged to have been made against respondent No.1/accused is not supported by either eyewitnesses or other evidence. There are strained relations between the appellant and his landlord, which was established by way of filing Ex.P.1–notice, Ex.P.2–certified copy of statement of complainant, Ex.P.3–injunction order granted by the learned Principal Junior Civil Judge, Nizamabad etc. The trial Court had also recorded a categorical finding that the appellant failed to meet the requirements under Section 499 IPC as well as Section 500 IPC. Under these circumstances, there is nothing to take a different view.

The Criminal Appeal is accordingly dismissed.

Miscellaneous Petitions, pending if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

14th FEBRUARY, 2019.
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