



Crl. A(MD)No.286 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Crl. A(MD)No.286 of 2019

Kumar @ Homegaurd Kumar

: Appellant

Vs.

**The State through the
Inspector of Police
Jaihindhpuram Police Station,
Madurai,
in Cr.No.592 of 2016.**

: Respondent

PRAYER: Criminal Appeal is filed under Section 374 of the Code of Criminal Procedure, call for the records from the lower Court and set aside the conviction and sentence imposed on the appellant by the learned I Additional District and Sessions Judge, Madurai, in S.C.No.373 of 2017 dated 08.03.2019.

For Appellant

: Mr.M.Subash Babu

For Respondent

**: Mr.S.Ravi,
Additional Public Prosecutor**



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J U D G M E N T

(Delivered by P.N.PRAKASH, J)

This criminal appeal is filed against the judgment and order dated 08.03.2019 passed in S.C.No.373 of 2017 on the file of the I Additional District and Sessions Court, Madurai.

2. The appellant was convicted in S.C.No.373 of 2017, before the I Additional District and Sessions Court, Madurai, for the offence under Section 302 IPC and sentenced to undergo life imprisonment and to pay a fine of Rs.50,000/-, in default, to undergo one year simple imprisonment and for the offence under Section 506(II) IPC, he was sentenced to undergo three years rigorous imprisonment and to pay a fine of Rs. 5,000/-, in default, to undergo six months simple imprisonment. Challenging the conviction and sentence, this appeal has been preferred.

3. Today, when the matter was taken up for hearing, learned Additional Public Prosecutor submitted that the appellant died on 08.01.2020 and in support thereof, he produced a copy of the death certificate of the appellant.



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4. Since the near relatives of the appellant have not come forward to continue the appeal under the proviso to Section 394 Cr.P.C, this appeal is closed as abated.

[P.N.P., J.] & [R.H., J.]
11.07.2022

Index : Yes/No
Internet : Yes
pkn

To

- 1.The Inspector of Police,
Jaihindhpuram Police Station,
Madurai.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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**P.N.PRAKASH, J
AND
R.HEMALATHA, J**

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