

**HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL APPEAL NO: 531 OF 2007

Appeal under Section 374 (2) of Cr.P.C being aggrieved by the Judgment made in CC.No. 46 of 2002, dated 17-04-2007 in on the file of the Principal Special Judge for SPE & ACB Cases, City Civil Court at Hyderabad.

Between:

Ch. Balaraj Goud, S/o late Narayana, Asst. Engineer, A.P.State Housing Corporation Ltd., R/o Flat No. 203, Ravi Kiran Apartments,

...Appellant

AND

The State, Inspector of Police,
rep. by its Special Public Prosecutor,
for ACB., Hyderabad Range High Court of A.P., Hyderabad,

...Respondent

I.A. NO: 1 OF 2007(CRLAMP. NO: 792 OF 2007)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the sentence of imprisonment made in CC.No. 46 of 2002, dt. 17-04-2007 on the file of the Principal Special Judge for SPE & ACB Cases City Civil Court at Hyderabad.

For the Appellant : Sri Venkateswara Rao Dittakavi, Advocate

For the Respondent : Sri T.L. Nayan Kumar (SC SPL PP ACB TS)

The Court made the following: JUDGMENT

HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL APPEAL No.531 OF 2007

JUDGMENT :

Learned Standing Counsel for ACB submits that as counsel for the appellant was passed away, this Court directed to serve notice on the appellant. Thereupon the notice was served through the I Additional Special Judge for SPE and ACB Cases, Hyderabad, and in the report informed that though an attempt was made to serve notice on the appellant/accused through the Inspector of Police, ACB, Hyderabad, the accused was not present in the said address. His wife informed that since five years, her husband/appellant/accused is missing and the police also registered a case in Cr.No.328 of 2017 under 'man missing' and the same was closed as 'undetected'. Thus, the notice was served on the wife of the appellant/accused and submitted a report. Further, the wife of the appellant/accused informed that, she is not interested to pursue the appeal.

Today, Smt. Padmavathi/wife of the appellant/accused is present in person and on enquiry,

reported that she is not interested to pursue the appeal and prayed for dismissal of the appeal.

Having regard to these circumstances, as the appeal is not being represented, the same is liable to be dismissed for non prosecution.

Accordingly, the appeal is dismissed for non-prosecution.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

SD/-K.SRINIVASA RAO
JOINT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Special Judge for SPE & ACB Cases, City Civil Court at Hyderabad
2. One CC to Sri Venkateswara Rao Dittakavi, Advocate [OPUC]
3. One CC to Sri T.L. Nayan Kumar (SC SPL PP ACB TS) For the state of Telangana at Hyderabad [OPUC]
4. Two CD Copies
5. One Spare Copy

KNK
MMA

HIGH COURT

DATED:27/04/2022

JUDGMENT

CRLA.No.531 of 2007



DISMISSED FOR NON PROSECUTION

⑥ VW
13/6/22