

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

**TUESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE DR. JUSTICE D.NAGARJUN

CRIMINAL APPEAL NO: 3282 OF 2018

Criminal Appeal filed Under Section 378 (4) of Cr.P.C against the Docket Order made in C.C.No.548 of 2016 dated 31.10.2018 on the file of the Court of the Judicial Magistrate of First Class (Spl.Mobile) at Karimnagar District.

Between:

Dannamaneni Linga Rao, S/o. Meena Rao, Aged. 60 years, Occ - Agriculture,
R/o. Nusthulapoor village of Thimmapur Mandal of Karimnagar District.

...Appellant/Complainant

AND

1. The State of Telangana, through Public Prosecutor, High Court at Hyderabad.

...Respondent

2. P. Rajashekar Rao, S/o. Venkata Rao, Aged. 50 years, Occ - Business, R/ o.
H.No. 8-3-167/R/34-AB, Flat No. 507, 5th Floor, Parkway Residency,
Rajeevnagar, Yousufguda, Hyderabad.

...Respondent/Accused

Counsel for the Appellant : SRI. K.VENUMADHAV

Counsel for the Respondent No.1 : Sri S.GANESH, Assitant Public Prosecutor

The Court made the following: JUDGMENT

THE HONOURABLE DR. JUSTICE D.NAGARJUN

CRIMINAL APPEAL No.3282 of 2018

J U D G M E N T:

This Criminal Appeal is filed aggrieved by the docket Order dated 31.10.2018 in C.C.No.548 of 2016 on the file of the learned Judicial Magistrate of First Class, (Spl. Mobile), at Karimnagar, wherein the complaint was dismissed for non-prosecution and the accused is acquitted under Section 256 of Criminal Procedure Code.

02. Sri K.Venumadhav, learned counsel for the appellant as well as Sri S.Ganesh, learned Assistant Public Prosecutor representing the State/respondent No.1 are present.

03. Sri K.Venumadhav, learned counsel for the appellant filed memo along with postal cover which was returned with an endorsement that "Deceased – returned to sender". Since, respondent No.2/accused is no more and appellant herein is challenging the Orders passed by the trial Court in C.CNo.548 of 2016 dated 31.10.2018,

wherein no cause of action survives on account of death
of respondent No.2/accused.

04. In view of the above submissions, this Criminal
Appeal is liable to be dismissed.

05. Accordingly, this Criminal Appeal is dismissed as
abated. No order as to costs.

As a sequel, pending Miscellaneous Applications, if
any, shall stand closed.

//TRUE COPY//

Sd/- K.SRINIVASA RAO
JOINT REGISTRAR

23/1/23
SECTION OFFICER

To,

1. The Judicial Magistrate of First Class (Spl.Mobile) at Karimnagar
2. One CC to Sri K.Venumadhav, Advocate (OPUC)
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at
Hyderabad (OUT)
4. Two CD Copies

PR

pmc.

HIGH COURT

Dr. DNRJ

DATED:15/11/2022



JUDGMENT

CRL.A.No.3282 of 2018

DISMISSING THE CRL.APPEAL AS ABATED.

⑦ pmg.
12/1/23