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Crl.A.No.14 of 2018

IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM:

The Honourable MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.A.No.14 of 2018

Pazhanivel

...Appellant / Accused

-Vs-

Inspector of Police
W-21, All Women Police Station,
Guindy, Chennai.

...Respondent / Complainant

Prayer:- Criminal Appeal filed under Section 374(2) of the Criminal Procedure Code, 1973, to call for the records in S.C.No.211 of 2016 on the file of the Special Court for Cases under POCSO Act 2012/Mahila Court, Chennai - 104, and to set aside the order of conviction dated 18.12.2017 passed in S.C.No.211 of 2016 and to acquit the Appellant/Accused from the charge.

For Appellant : Mr.T.Saravanan
Legal Aid Counsel

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor



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JUDGMENT

The Appellant is the sole Accused in S.C.No.211 of 2016 dated 18.12.2017 on the file of the learned Sessions Judge, Special Court for Cases under POCSO Act 2012/Mahila Court, Chennai - 104.

2. When the case came up for hearing on earlier occasion on 03.10.2023, this Court had nominated a Counsel from the Legal Aid Committee attached to this Court and also issued direction to the learned Sessions Judge, Special Court for Cases under POCSO Act 2012/Mahila Court, Chennai, to issue warrant to secure the Accused in the light of the judgment of the conviction recorded by the learned Sessions Judge, Special Court for Cases under POCSO Act 2012/Mahila Court, Chennai, in S.C.No.211 of 2016 dated 18.12.2017. The Inspector of Police, W-21, All Women Police Station, Guindy, Chennai, was directed to secure the Appellant/Accused and produce him before this Court by 10.10.2023.

3. Today, 03.10.2023, when the case came up for hearing, the learned Additional Public Prosecutor would submit that the Appellant/Accused is reported dead.



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4. The learned Additional Public Prosecutor filed a status report from the Inspector of Police, W-21, All Women Police Station, Guindy, Chennai, along with the death certificate of the Appellant/Accused. The same is recorded.

5. Recording the submission made by the learned Additional Public Prosecutor, this **Criminal Appeal stands dismissed as abated.**

6. The Legal Aid Committee attached to this Court is directed to nominate the same Counsel for different cases.

10.10.2023

cda

Index : Yes/No

Speaking/Non-speaking order

To

1.The Sessions Judge,
Special Court for Cases under POCSO Act 2012/
Mahila Court, Chennai - 104.

2.The Inspector of Police
W-21, All Women Police Station,
Guindy, Chennai.

3.The Public Prosecutor,
High Court, Madras.

4.The Section Officer, VR Records,
High Court, Chennai.



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SATHI KUMAR SUKUMARA KURUP, J.,

cda

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