



Crl.A.No.426 of 2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **03.11.2023**

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THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.A.No.426 of 2016

A.Mathivanan

... Appellant

Vs.

State represented by,
The Inspector of Police,
CBI/ACB/Chennai.

... Respondent

PRAYER : The Criminal Appeal is filed under Section 374 of Criminal Procedure Code, to set aside the Judgment passed by the learned XII Additional Special Judge for CBI cases at Chennai in C.C.No.23 of 2007 dated 27.05.2016.

For Appellant : P.Ezhilnilavan

For Respondent : Mr.K.Srinivasan,
Special Public Prosecutor for CBI Cases



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JUDGMENT

The appellant, who was found guilty and convicted by the XII Additional Special Judge for CBI cases at Chennai, for the offences punishable under Sections 468, 467, 467 r/w 471, 477-A, 420 IPC and 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988, in C.C.No.23 of 2007, has filed the present criminal appeal challenging the conviction and sentence rendered against him vide Judgment dated 27.05.2016.

2. Learned counsel for the appellant submitted that the appellant/Mathivanan has passed away and he also understands that there are no legal heirs to the appellant. He further submitted that the appellant's wife, Surekha, who was also an accused in an connected appeal along with the appellant, had passed away and there is no instructions for him to pursue the matter. He further submitted that the connected appeals filed by the appellant in Crl.A.Nos.424 & 425 of 2016 were dismissed as abated vide judgments dated 02.11.2023 & 18.10.2023 respectively.



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3. Learned Special Public Prosecutor for CBI Cases submitted that the appellant along with his wife was convicted in disproportionate asset case and against their conviction, they have filed the appeal in Crl.A.No.425 of 2016 and in that appeal, the death certificates of both the accused have been produced. Since there is no legal heirs to the accused and no one to pursue the matter, the appeal in Crl.A.No.425 of 2016 was dismissed as abated on 18.10.2023. Thereby, he prayed that the same order may be passed in the present appeal also.

4. Taking into consideration the above facts and the submissions made by the learned counsel appearing on both sides, the present Criminal Appeal stands dismissed as abated.

03.11.2023

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1. The XII Additional Special Judge for CBI cases,
Chennai.
2. The Inspector of Police,
CBI/ACB/Chennai.
3. The Public Prosecutor,
High Court of Madras.



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