



Crl.A.No.542 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 19.09.2023**

CORAM:

**The Honourable MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

**Crl.A.No.542 of 2017**

R.Vijayalakshmi

... Petitioner/P.W.1

-Vs-

1.State by:

The Inspector of Police,  
Velur Police Station,  
Velur,  
Namakkal District

2.Bakkiam @ Pappathy

... Respondents/Complainant

**Prayer:-** Criminal Appeal filed under Section 397 & 401 of the Criminal Procedure Code, to call for the records pertaining to the Order dated 17.09.2010 made in S.C.No.45 of 2010 on the file of the file of the Assistant Sessions Judge, (Sub Court), Namakkal and set aside the same and remand the case to the trial Court with a direction to try the case afresh after adding charge under Section 498-A IPC along with Section 306 of IPC.

|                 |                                                    |
|-----------------|----------------------------------------------------|
| For Appellant   | : M/s.A.Kruthika<br>for M/s.P.R.Balasubramanian    |
| For Respondents | : Mrs.G.V.Kasthuri<br>Additional Public Prosecutor |



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**ORDER**

**WEB COPY** When the case came up for hearing on 11.09.2023, the learned Counsel appearing for the Appellant submitted that the Appellant reported dead recorded and the death certificate was also furnished and the same was recorded and only for clarification regarding any relatives of the Appellant were intended to prosecute the appeal, the case was posted on 19.09.2023 under the caption 'for clarification'.

2.Today (19.09.2023), the learned Counsel for the Appellant submitted that the relatives of the Appellant are not willing to appear and to prosecute the appeal.

3.The appeal was filed by the mother of the deceased women against the judgment of acquittal by the learned Assistant Sessions Judge, Namakkal in S.C.No.45 of 2010 dated 17.09.2010. Since the Appellant died, nothing survives for adjudication in this appeal.

4.In the result, this Criminal Appeal stands dismissed as abated.

**19.09.2023**

vsn

Index : Yes/No

Speaking/Non-speaking order

**Note: Issue order copy on 20.09.2023.**



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**SATHI KUMAR SUKUMARA KURUP, J.,**

vsn

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