IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

I.A.NO.1 OF 2015 (CRL.A.M.P.NO.1488 OF 2015)
IN/AND
CRIMINAL APPEAL NO: 221 OF 2025

Criminal Appeal filed under Section 378(4) of Cr.P.C., against the Judgment dated 28.05.2015 passed in Crl.A.No.75 of 2014 on the file of the Court of the VI Additional Sessions Judge, at Godavarikhani preferred against the Judgment dated 27-05-2014 made in C.C.No.428 of 2007 on the file of the Court of the Judicial First Class Magistrate at Godavarikhani.

Between:

Gampa Narayana, S/o. Rajaiah, Aged about 63 Years, Occ Business, R/o. Jawahar Nagar of Godavarikhani, Karimnagar District

...Appellant/Respondent/Complainant in CRLA and I.A.No.1 of 2015

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad. For the State of Telangana and the State of Andhra Prdesh.

...Respondent/Respondent in CRLA and I.A.No.1 of 2015

2. Pallerla Anjaneyulu, S/o. Kistaiah, Aged about 62 Years, Occ : Business, R/o. Ramagundam, Godavarikhani, Karimnagar District.

...Respondent/Appellant/Accused in CRLA and I.A.No.1 of 2015

I.A. NO: 1 OF 2015(CRLAMP. NO: 1488 OF 2015)

Petition under Section 5 of Limitation Act praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be

pleased to condone the delay of 74 days in filing the Appeal against the order dated 28.05.2015 passed in Appeal No. 75/2014 on the file of the VI Additional Sessions Judge, Godavarikhani, Karimangar District.

Counsel for the Appellant : Sri Venkateshwar Varanasi

Counsel for the Respondent No.1 : Sri Arun Kumar Dodla, Additional Public Prosecutor

Counsel for the Respondent No.2 : Sri Ajgal Ravi Babu

The Court delivered the following: COMMON JUDGMENT

THE HON'BLE SRI JUSTICE K.SURENDER

I.A.NO.1 OF 2015 (CRL.A.M.P.NO.1488 OF 2015)
IN/AND
CRIMINAL APPEAL NO.221 OF 2025

COMMON JUDGMENT:

It is informed that the counsel appearing for the appellant died more than three years ago and the appellant has not made any alternate arrangements to prosecute the appeal.

2. Further, this Court, by order, dated 20.07.2016, in I.A.No.1 of 2015, directed the appellant to take out personal notice to the respondent-accused and file proof of service.

3. Even after passing of 9 years, neither proof of service nor proof of sending the notice is filed.

4. In the said circumstances, I.A.No.1 of 2015 is dismissed on the ground of non-service of notice on the respondent-accused. Consequently, the Criminal Appeal is also dismissed. In view of the judgment reported in ***Syam Dondiya v. State of Andhra Pradesh***[1], the Registry is directed to number the appeal. Miscellaneous applications pending, if any, shall stand dismissed.

Sd/- T. SRINIVAS
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VI Additional Sessions Judge, at Godavarikhani
2. The Judicial First Class Magistrate at Godavarikhani
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri Venkateshwar Varanasi, Advocate [OPUC]
5. One CC to Sri Ajgal Ravi Babu, Advocate [OPUC]
6. Two CD Copies

ADK/plp

HIGH COURT

DATED:03/01/2025

COMMON JUDGMENT

I.A.NO.1 OF 2015 (CRL.A.M.P.NO.1488 OF 2015)
IN/AND
CRLA.No.221 of 2025



DISMISSING THE CRLA AND I.A.No.1 of 2015

(9) PA 16/4/25