

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**CRIMINAL REVISION CASE No.315 OF 2006**

**DATED 31<sup>st</sup> JANUARY, 2013.**

BETWEEN :

P.Venkata Surya Prakasarao

.. Petitioner-P.W.2

and

1) M.Subbanna Chowdary

2) The State of A.P.

..Respondents

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**CRIMINAL REVISION CASE No.315 OF 2006**

**ORDER:**

Petitioner-P.W.2 filed this Criminal Revision Case by invoking the provision under Sections 397 and 401 of the Criminal Procedure Code (in short 'Cr.P.C.') being aggrieved by the judgment dated 29.12.2005 rendered in Sessions Case No.314 of 2003 by the Assistant Sessions Judge, Ramachandrapuram, whereby and whereunder the learned trial Judge found the accused not guilty for the offence punishable under Sections 306 and 498A of Indian Penal Code (in short 'IPC') and acquitted him under Section 235 (1) Cr.P.C. for the said offence.

Heard.

The case of the prosecution, in brief, is that the accused having addicted to bad vices and developed illegal intimacy with another lady, started harassing his wife i.e. the deceased herein for dowry and at last he necked out her from the house. Having left with no option, deceased took shelter at her parents' home and on the fateful day she committed suicide by pouring kerosene and set fire to herself.

This Court perused the entire material on record including the

impugned judgment.

While acquitting the accused vide impugned judgment, the learned trial Judge categorically held that prior to the present occurrence, deceased herein lodged a complaint against the accused alleging dowry harassment and the same was referred as 'false' and admittedly as against the same deceased has not preferred any protest petition or she has not prosecuted the matter further. Further more, she has committed suicide at her parents' house. Even in dying declaration also she has not stated that she committed suicide due to dowry harassment by the accused. Considering these aspects, the learned trial Judge acquitted the accused. Hence, this Court is of the considered view that the trial Judge has appreciated the evidence available on the record in proper perspective while acquitting the accused. Therefore, this Court is not inclined to interfere with the order of acquittal passed by the trial Judge and the present revision is liable to be dismissed.

Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions filed in this revision, if any, shall stand closed.

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***JUSTICE RAJA ELANGO***

Date : 31.01.2013  
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