

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

Crl.A.No.779 of 2005

Kannan @ Kannappan @ Sathish ..Appellant/Accused No.5

Vs

The State by
Rep. by Inspector of Police,
B-2, R.S.Puram Police Station,
Coimbatore District. ..Respondent/Complainant
(Crime No.398 of 2001)

Prayer:-

This Criminal Appeal is filed under Section 374 of Cr.P.C., against the Judgment of conviction and sentence made in S.C.No.256 of 2003 , on the file of the Additional District and Sessions Court, Fast Track No.I, Coimbatore District, dated 22.01.2004.

For Appellant : No appearance

For Respondent : Mr.T.Shanmugarajeswaran,
Government Advocate (Crl. Side)

JUDGEMENT

This appeal has been preferred against the judgment of the Additional District-cum-Sessions Court, Fast Track No.IV, Coimbatore, passed in S.C.No.256 of 2003, date 22.01.2004, in and by which, the appellant, who had been arrayed as A-5, was convicted for offence under Section 397 of IPC and sentenced to undergo 7 years rigorous imprisonment and also convicted for the offence under Section 451 of IPC and sentenced to undergo two years rigorous imprisonment, which shall run concurrently.

2. When the appeal was taken up for hearing on 30.07.2018, it was represented that the accused had been in jail since the date of the judgment and he did not move an application for suspension of sentence and the learned Government Advocate (Criminal Side) was directed to get instructions from the respondent-Police.

3. The learned Government Advocate (Criminal Side) on instructions from the Inspector of Police, who is present before this Court, would submit that the appellant had

undergone entire period of sentence and died in a Motor Vehicle Accident about three years back, hence nothing survives for adjudication.

4. In the light of the above submission, this Criminal Appeal is dismissed as abated.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,
B-2, R.S.Puram Police Station,
Coimbatore District.
- 2.The Additional District and Sessions Judge,
Fast Track No.1, Coimbatore District.
- 3.The Public Prosecutor,
High Court, Chennai.

BR(CO)
EU(13/11/2018)

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The seal of the Madras High Court is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka in front of it. The gopuram is flanked by two green trees. The entire emblem is set against a white background with a green border. The words "HONORABLE COURT OF JUDICATURE MADRAS" are written in a circular path around the emblem. Below the emblem, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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