



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 31<sup>ST</sup> DAY OF JULY, 2023**

**PRESENT**

**THE HON'BLE DR. JUSTICE H.B.PRABHAKARA SASTRY**

**AND**

**THE HON'BLE MR JUSTICE ANIL B KATTI**

**CRIMINAL APPEAL NO.631 OF 2019 (A)**

**BETWEEN:**

Smt. Gayathri,  
W/o Raju,  
Aged about 35 years,  
R/At Mavinakere Colony  
Mavinakere Hobli  
Bhadravathi Taluk  
Shivamogga District -577301.

...Appellant

(By Sri. S N Bhat, Advocate)

**AND:**

1. Raju  
S/o Srinivasa Naidu,  
Aged about 39 years,  
R/At Near Kerekodamma Temple  
Kuvempunagara, 4th Cross  
Bhadravathi  
Shivamogga District.
2. Shreenivasa Naidu,  
Aged about 62 years,  
R/At 3rd Cross



NMC Right Side  
Hosamane, Bhadravathi-577301.

3. Smt Adilakshmi  
W/O Srinivasa Naidu,  
Aged about 50 years,  
R/At 3rd Cross  
NMC Right Side  
Hosamane, Bhadravathi 577301.
4. Chandrashekara  
Aged about 37 years,  
R/At 4th Cross,  
Hosamane, Bhadravathi-577301.
5. Sampath  
S/o Changalaraya Naidu,  
Aged about 49 years,  
R/At 4th Cross Left Side  
Bhovi Colony, NMC, Hosamane  
Bhadravathi 577301.
6. Jayamma  
Aged about 44 years,  
R/At 4th Cross Left Side  
NMC, Hosamane,  
Bhadravathi 577301.

...Respondents

This Appeal is filed under Section 372 of Code of Criminal Procedure, praying to call for entire records in S.C.No.28/2015 on the file of 4<sup>th</sup> Addl.District and Sessions Judge, Shivamogga, sitting at Bhadravathi dated 03.01.2019, set aside the judgment dated 03.01.2019, passed by the 4<sup>th</sup> Addl.District and Sessions Judge, Shivamogga, sitting at Bhadravathi in S.C.No.28/2015 and allow the appeal by convicting the respondent No.1 to 6 for the offence punishable under Section 498-A, 307, 114 r/w. Section 34 of IPC and Section 3 and 4 of



Dowry Prohibition Act and pass any such orders that this Hon'ble Court deems fit to grant in the interest of justice.

This Appeal is coming on for Orders through Physical Hearing/Video Conference this day, **Dr. H.B.PRABHAKARA SASTRY, J.,** made the following :

**ORDER**

The learned counsel for the appellant is neither present physically nor through Video Conference. No reasons are forthcoming for non-appearance of learned counsel for the appellant, as well for non-compliance of office objections.

2. A perusal of the order sheet would go to show that after giving several and sufficient opportunities, since the appellant has not complied the office objections, a Co-ordinate Bench of this Court in this matter has passed the following order on 26.08.2022 :

*" None appears for the appellant.*

*The records show that though the appeal is filed in the year 2019, office objections are not yet complied.*

*Finally, two weeks' time is granted to do the needful, failing which, the appeal shall stand dismissed."*



In spite of the above, the appellant has neither complied the office objections nor appeared either physically or through Video Conference and shown any reasons for non-compliance of office objections. According to the registry, not less than eleven times, the opportunities were granted to comply the office objections. Hence, we do not find any reasons to grant further time.

3. Accordingly by virtue of the order dated 26.08.2022, the Appeal stands ***dismissed*** for non-compliance of office objections and for non-prosecution.

**Sd/-  
JUDGE**

**Sd/-  
JUDGE**