

Sri Manukumar vs State of Karnataka

Sri Manukumar vs State of Karnataka

SooperKanoon Citation : sooperkanoon.com/1767660

Court : Karnataka

Decided On : Feb-01-2025

Judge : Shivashankar Amarannavar

Appeal No. : CRL.A/31/2023

Appellant : Sri Manukumar

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF FEBRUARY, 2025 BEFORE THE HON'BLE MR JUSTICE SHIVASHANKAR AMARANNAVAR CRIMINAL APPEAL No. 31 OF 2023 BETWEEN: SRI MANUKUMAR S/O MANJUNATH AGED ABOUT 30 YEARS AGRICULTURIST/DRIVER R/AT MALLEDEVARAHALLI VILLAGE APPELLANT (BY SRI SWAROOP N, ADVOCATE FOR SRI VINOD GOWDA, ADVOCATE) AND:

1. STATE OF KARNATAKA BY MUDIGERE POLICE REPRESENTED BY SPP HIGH COURT OF KARNATAKA Digitally signed BENGALURU -

560 001. by HEMAVATHY GANGABYRAPPA

2. JAGADEESHA Location: HIGH S/O MAHADEVAPPA SHETTY
COURT OF KARNATAKA AGED ABOUT 50 YEARS

3. MAHESHWARAPPA

S/O MAHADEVAPPA SHETTY AGED ABOUT 59 YEARS BOTH ARE R/O
MALLEDEVARAHALLI VILLAGE R/AT KASABA HOBLI -2- RESPONDENTS (BY
SMT. N ANITHA GIRISH, HCGP FOR R1) THIS CRL.A IS FILED UNDER
SECTION 372 Cr.PC

PRAYING TO SET ASIDE THE ACQUITTAL OF THE JUDGMENT

DATED 30.09.2022 PASSED IN CRL.A.No.102/2021 ON THE FILE OF II
ADDL.SESIONS JUDGE, CHIKKAMAGALURU AND ALSO SET ASIDE THE
JUDGMENT DATED 18.06.2019 PASSED IN C.C.No.692/2012 ON THE FILE OF
THE 1ST ADDITIONAL SENIOR CIVIL JUDGE AND J.M.F.C, AT
CHIKKAMAGALURU AND CONVICT THE RESPONDENT No.2 AND 3 OF THE
CHARGES LEVELED AGAINST THEM AND ETC.,

THIS APPEAL COMING ON FOR ORDERS THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

1. This appeal is filed by the appellant - complainant

challenging the judgment dated 30.09.2022 passed in Crl.A.No.102/2021 by the II
Additional District and Sessions Judge, Chikkamagaluru and also to set-aside the

judgment dated 18.06.2019 passed in C.C.No.692/2012

by the I Additional Senior Civil Judge and J.M.F.C, Chikkamagaluru and convict respondent Nos.2 and 3.

2. Heard learned counsel for the appellant. -3-

3. Respondent Nos.2 and 3 were the accused in C.C.No.692/2012 and they came to be acquitted by the

judgment dated 18.06.2019 for the offences under

Sections 323, 324 and 504 r/w Section 34 of IPC. The said judgment of acquittal has been challenged by the complainant Sri.Manukumar (the appellant herein) before the Sessions Court in CrI.A.No.102/2021. The said CrI.A.No.102/2021 has been disposed of on merits by judgments dated 30.09.2022 affirming the judgment of acquittal passed in C.C.No.692/2012 dated 18.06.2019. The present appeal is the second appeal challenging the

judgment of acquittal filed under Section 378(4) of Cr.P.C.

As the present appeal is the second appeal, it is not maintainable. Hence, the appeal is dismissed. Sd/- (SHIVASHANKAR AMARANNAVAR) JUDGE GH List No.: 1 Sl No.: 36

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com