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State of Kerala vs Pradeep Kumar

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SooperKanoon Citation : sooperkanoon.com/1838254

Court : Kerala

Decided On : Nov-12-2020

Judge : Honourable Mr. Justice a.Hariprasad,Honourable Mrs. Justice M.R.Anitha

Appeal No. : CRL.A/1358/2019

Appellant : State of Kerala

Respondent : Pradeep Kumar

Judgement :

& CRL.A.No.1358 OF 2019 APPELLANT/COMPLAINANT: STATE OF KERALA, REP. BY THE STATE PUBLIC PROSECUTOR, HIGH COURT OF KERALA SENIOR PUBLIC PROSECUTORS SRI.NICHOLAS JOSEPH RESPONDENT/ACCUSED: PRADEEP KUMAR, S/O.MURALEEDHARAN NAIR, AGED 32 YEARS,KADAPPALLIL HOUSE, NAGAM KULANGARA, WAYALAR EAST VILLAGE, CHERTHALA TALUK, ALAPPUZHA DISTRICT, PIN-688524. BY ADV. SRI.K.ANAND THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON 12.11.2020, ALONG WITH CRL.A.(V)NO.35/2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: & CRL.A.(V)No.35 OF 2019 APPELLANT/PW6/(VICTIM'S MOTHER) BHAGYAVATHY,AGED 37, W/O SHAJI @ SHERI,DOOR NO.XI/666, PUNNACKAL HOUSE,P.O.PAMPAMPALLAM, WALAYAR,PALAKKAD-

678621. BY ADV. JOHN S. RALPH RESPONDENTS/DE-JURE COMPLAINANT & ACCUSED: 1 STATE OF KERALA, REPRESENTED BY THE DEPUTY SUPERINTENDENT OF POLICE,NARCOTIC CELL,PALAKKAD(NOTICE TO WHOM IS SERVED ON THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM) 2 PRADEEP KUMAR,AGED 32 YEARS S/O.MURALEEDHARAN NAIR, KADAPALLIL HOUSE,NAGAMKULANGARA, WAYALAR EAST VILLAGE, CHERTHALA TALUK, ALAPPUZHA DISTRICT. R1 BY SENIOR PUBLIC PROSECUTORS SRI NICHOLAS JOSEPH R2 BY ADV. SRI.K.ANAND THIS CRL.A BY DEFACTO COMPLAINANT/VICTIM HAVING BEEN FINALLY HEARD ON 12.11.2020, ALONG WITH CRL.A.NO.1358/2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

COMMON JUDGMENT

[CRL.A.No.1358/2019& CRL.A(V).No.35/2019] Dated this the 12th day of November 2020

Hariprasad, J.

Sole accused in S.C.No.398 of 2017 on the file of the I Additional Sessions Judge (Special Judge), Palakkad was tried and acquitted by the trial court. Against the order of acquittal State has filed Crl.Appeal No.1358 of 2019. Aggrieved by the acquittal, mother of the victim has filed Crl.Appeal (V) No.35 of

2019. It is reported by the learned Public Prosecutor that the sole accused in the

above Sessions Case, who is the respondent in the aforementioned appeals, died on 04.11.2020. To substantiate this contention, a copy of the death certificate issued from Vayalar Grama Panchayat is produced with a memo dated 11.11.2020. Considering the fact that the sole accused in the above Sessions Case died, we record that the captioned appeals filed against his acquittal are abated.

A.HARIPRASAD M.R.ANITHA cks

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