APHC010494042009

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 1967 OF 2009

Between:

1. LEKKALA JYOTHI, SRI P.S.R. NELLORE DISTRICT., W/o. Lekkala Srivasulu Housewife R/o. Lingaraju Agraharam Village, Jaladanki Mandal, Sri P.S.R. Nellore District.

...Petitioner

AND

1. THE STATE OF A P REP BY P P HYDERABAD 3 OTRS, Rep. by its Public Prosecutor High Court of Andhra Pradesh, Hyderabad.

2. Lekkala Srinivasulu, S/o. Ramanaiah Business R/o. L.R. Agraharam Village, Jaladanki Mandal, Sri P.S.R. Nellore District.

3. Lekkala Varadaiah, S/o. Krishnaiah Business R/o. L.R. Agraharam Village, Jaladanki Mandal, Sri P.S.R. Nellore District.

4. Lekkala Chenchamma, S/o. Ramanaiah Housewife R/o. L.R. Agraharam Village, Jaladanki Mandal, Sri P.S.R. Nellore District.

...Respondents

Counsel for the Petitioner: MD SALEEM

Counsel for the Respondents: V R MACHAVARAM Counsel for the Respondents:PUBLIC PROSECUTOR

The Court made the following order:

ORDER:

Instant Criminal Revision Case has been filed challenging the judgment dated 21.08.2009 passed in C.C.No.640 of 2004 on the file of the learned Additional Judicial Magistrate of First Class, Kavali, whereby the accused were acquitted of the charges.

2. Heard Sri V. R. Machavaram, learned counsel appearing for respondent Nos.2 to 4, and Sri P.Somayaji, learned Additional Public Prosecutor. None appeared on behalf of the petitioner. Perused the record and the order of learned trial court.

3. In pursuance of the directions of this Court vide order dated 06.03.2025, State has submitted a report through the Sub-Inspector of Police, Jaladanki Police Station, SPSR Nellore District, Andhra Pradesh. It appears from the status report that, upon enquiry, de facto complainant stated that all the accused persons had expired and that she was not interested to prosecute the matter further.

4. The present Criminal Revision Case has been pending since 2009. In view of the subsequent developments, particularly the death of all accused and statement of the de facto complainant that she does not wish to proceed further, this Court is required to consider the present Criminal Revision Case on merits and dispose it in accordance with law.

5. It appears from the record that respondent Nos.2 to 4 were arrayed as accused Nos.1 to 3 before learned trial court for offences punishable under Sections 498-A, 324 and 506 read with Section 34 of the Indian Penal Code.

6. A perusal of the judgment passed by learned trial court in C.C.No.640 of 2004 discloses that prosecution examined seven witnesses and marked documents as Exs.P1 to P6. Upon appreciation of evidence on record, learned trial court found that prosecution had failed to establish charges against accused beyond reasonable doubt. Evidence of prosecution witnesses suffers from several contradictions, and no clinching evidence was brought on record to warrant a conviction. On a perusal of impugned judgment and material available on record, this Court finds no illegality, perversity or other infirmity in the findings recorded by learned trial court warranting interference in exercise of revisional jurisdiction. The present Criminal Revision case being merit less is liable to be dismissed.

7. Accordingly, the Criminal Revision Case is dismissed. There shall be no order as to costs. As a sequel, miscellaneous petitions, if any, pending in this Criminal Revision Case shall stand closed.

SUBHENDU SAMANTA, J

Date: 09.10.2026
JLSR

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