

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Crl.A.No.201 of 2015

JUDGMENT:

This Criminal Appeal is filed by the *de facto* complainant under Section 372 Cr.P.C. challenging the judgment dt.19-09-2014 in Crl.A.No.384 of 2012 of the Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B.Nagar acquitting the 1st respondent of having committed offences under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1989.

2. The appellant herein had initially lodged a complaint alleging that in the year 2004, there were demands of dowry made by 1st respondent. On the basis of that complaint, C.C.No.3662 of 2005 was lodged by the State wherein the IX Metropolitan Magistrate, Cyberabad, Kukatpally, at Miyapur, convicted 1st respondent. The 1st respondent questioned the said conviction in Crl.A.No.384 of 2012 before the Additional Metropolitan Sessions Judge, Ranga Reddy District, L.B.Nagar. The said appeal was allowed on 19-09-2014.

3. Questioning the same, the present Criminal Appeal is filed.

4. The incident out of which C.C.No.3662 of 2005 arose has admittedly taken place prior to 31-12-2009. In **D.Sudhakar Vs. Panapu Sreenivasulu @**

Evone Water Sree and others ^[1], a Division Bench of this Court held that if the incident, in question in relation to which the criminal case was filed against the accused, arose prior to 31-12-2009, an appeal under proviso of Section 372 Cr.P.C. is not maintainable at the instance of the victim.

5. Having regard to the said declaration of law, I am of the opinion that the present Criminal Appeal filed by the appellant herein is not maintainable.

6. In this view of the matter, this Criminal Appeal is dismissed. The appellant is at liberty to avail any other remedy available to her at law.

7. As a sequel, miscellaneous petitions pending, if any, shall stand disposed of.

JUSTICE M.S.RAMACHANDRA RAO

Date: 02.03.2015

Kvr

^[1] 2013 (1) ALD (Cri) 366 (A.P.)