

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL APPEAL No.500 OF 2023

JUDGMENT:

This Criminal Appeal is filed under Section 378(4) of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') against the order dated 16.07.2010 passed in C.C.No.1067 of 2009 passed by the learned XI Additional Chief Metropolitan Magistrate, Secunderabad.

2. Heard. Perused the record.

3. The order dated 16.07.2010 passed by the learned Magistrate in C.C.No.1067 of 2009 reads as follows:

“ Complainant absent continuously. No representation. Process not paid for execution of NBW. Hence Complaint is dismissed U/Se.204(4) Cr.P.C.”

4. It is for the complainant to prosecute his cases diligently by appearing before the Court. The Magistrate will not have any other option except to dismiss the complaint, if the complainant fails to prosecute his case. In the present case, case was coming up for paying the process. However, the appellant – complainant neither appeared before the Court nor paid the process, for which reason, the learned Magistrate has dismissed the case.

5. In view of the aforesaid circumstances, I find no infirmity with the order dated 16.07.2010 passed by the learned Magistrate and the present appeal is liable to be dismissed.

6. Accordingly, the Criminal Appeal is dismissed.

Miscellaneous Petitions, pending if any, shall stand closed.

Date: 26.06.2023
rev/dsu

K.SURENDER, J