

IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD
DATED THIS THE 13TH DAY OF JULY 2012
BEFORE
THE HON'BLE MR. JUSTICE N. ANANDA

CRIMINAL APPEAL No.2593/2012

BETWEEN:

Smt. Sharanavva
W/o Sharanappa Nasagunni
Aged about 41 years
Occ: Agriculturist
R/o Matarangi
Taluk: Ron.

Appellant

(By Sri. Basavaraj Godachi, Advocate)

AND:

1. The State of Karnataka
Through P.S.I. Gajendragad
Reptd. S.P.P.,
High Court building
Dharwad.
2. Marigouda
S/o Hanamappagoudar @ Unachagiri
Aged about 62 years
Occ: Agriculturist
R/o Matarangi
Tq: Ron.

3. Hanamappa
S/o Marigouda goudar @ Unachagiri
Age: Major, Occ: Agriculturist
R/o Matarangi
Tq: Ron.

4. Revavva W/o Muttappa Maler
Age: Major, Occ: Household work
R/o Jigalur
Now at Matarangi
Tq: Ron.

Respondents

(By Sri. V.S.Kulkanri, HCGP for R1,
Sri. R.S.Kadibagil, Advocate for R-2 to 4)

This appeal is filed under section 378(1) Cr.P.C., praying to set aside the impugned judgment dated 24/11/2011, passed by Civil Judge & J.M.F.C., at Ron in C.C.No.298/2010.

This appeal coming on for admission this day, the court., delivered the following:

J U D G M E N T

Heard the learned counsel for appellant, learned HCGP for State and learned counsel for respondents 2 to 4.

2. The appellant was the injured-victim in C.C.No. 298/2010, registered for offences punishable under sections 323, 324, 354, 504 r/w 34 IPC, on the file of JMFC at Ron,

Gadag District, wherein accused Nos. 1 to 3 were tried and acquitted.

3. In view of amendment to section 372 Cr.P.C., by Act No. 5 of 2009, with effect from 31-12-2009, the victim should have filed the appeal before jurisdictional Sessions Court.

4. Therefore, the appeal is dismissed. However, liberty is reserved to appellant to file an appeal before the jurisdictional Sessions Court, subject to law of limitation.

Sd/-
JUDGE

SSM