

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.6.2015

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

Crl.R.C.No.1184 of 2009

E.KALPANA ... petitioner
Vs

1 THE INSPECTOR OF POLICE
H.5 W.8 ALL WOMEN POLICE STATION
SEMBIAM, KILPAUK CHENNAI

2 B.SAMBASIVAM ... respondents

Revision filed u/s 397 and 401 of the Criminal Procedure Code against the order made in C.A.No.43 of 2009 dated 21.8.2009 on the file of the learned III Additional Judge, City Civil Court, Chennai against the Judgment dt.29.11.09 in CC.No.10185/03 on the file of the Chief Metropolitan Magistrate, Egmore, Chennai.

For petitioner : Mr.Kumar Talreja

For respondent : Mr.V.Arul, Government Advocate, for R-1
Mr.T.Jaishankar, for R-2

ORDER

The petitioner has come forward with this criminal revision against the acquittal of the 2nd respondent on the file of the learned III Additional Judge, City Civil Court, Chennai in C.A.No.43 of 2009 for offence under Section 498-A IPC.

2. The petitioner/wife was the complainant before the Trial Court. The 2nd respondent was convicted by the Trial Court for offence under Section 498-A IPC and sentenced to undergo 2 years rigorous imprisonment and to pay a fine of Rs.10,000/-. The 2nd respondent preferred an appeal before the learned III Additional Judge, City Civil Court, Chennai, who allowed the appeal and acquitted him. Aggrieved over the same, the present criminal revision has been filed by the complainant/wife.

3. The learned counsel for the petitioner contended that the Appellate Court has erred in acquitting the 2nd respondent though the offence under Section 498-A was clearly made out. According to the

learned counsel, the Appellate Court has not analyzed the evidence in their proper perspective, which has led to the acquittal of the 2nd respondent.

4. The learned counsel for the 2nd respondent at the very outset submitted that much water has flown under the bridge after the acquittal of the 2nd respondent and the parties have remarried and they are settled. If this Court is to allow the revision, it will only affect the lives of both parties.

5. Heard both sides.

6. On going through the entire evidence on record, this Court is of the view that the appellate Court has gone into the merits of the case in detail and acquitted the 2nd respondent. Under such circumstances, I do not find any reason to interfere with the judgment of the appellate Court. Hence this revision is dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The III Additional Judge, City Civil Court, Chennai.

2.The Chief Metropolitan Magistrate, Chennai.

3.The Public Prosecutor, Madras High Court

4.The Inspector of Police,
H.5 W.8 ALL WOMEN POLICE STATION
SEMBIAM, KILPAUK CHENNAI.

+2 cc to Mr.T.Kumar, Advocate, SR.30641.

Nm(co)
krd 6/7

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