

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 08-10-2015

CORAM:

THE HONOURABLE MR. JUSTICE A. SELVAM

Criminal Appeal No.540 of 2007

Mohamed Hanifa (25)

Appellant/Accused 1

Vs.

State
rep. by the Inspector of
Police, Tirupur,
South Police Station
Coimbatore District
(Crime No.468/99)

Respondent/Complainant

Criminal Appeal under Section 374(2) Cr.P.C., to set aside the judgment passed in S.C.No.344 of 2005 dated 29-06-2006 on the file of the Additional District and Sessions Court (FTC 2) Coimbatore.

For appellant :: Mr. A.S. Chakravarthi

For respondent :: Mr. P. Govindarajan,
Additional Public Prosecutor

JUDGMENT

This Criminal Appeal has been directed against conviction and sentence dated 29-06-2006 passed in S.C.No.344 of 2005 by the Additional District and Sessions Court(FTC II), Coimbatore.

2. The learned counsel for the appellant has represented that the Trial Court has found the appellant/accused guilty under Section 397,IPC and sentenced him to undergo seven years R.I., and also imposed a fine of Rs.500/-(Rupees Five hundred only) with usual default clause and since the Trial Court has passed its judgment on 29-06-2006 and imposed R.I. of seven years, the period of sentence has already been undergone by the appellant/accused.

3. On the basis of the representation made by the learned counsel appearing for the appellant, this Court has verified the judgment passed by the Trial Court wherein it has been clearly stated that the appellant/accused has been found guilty under Section 397, IPC and sentenced to undergo seven years R.I. and also imposed a fine of Rs.500/-(Rupees Five hundred only) with usual default clause. The judgment of the Trial Court has been pronounced on 29-06-2006. Since the

Trial Court has imposed only seven years R.I. it is needless to say that the appellant/accused has already undergone the quantum of sentence imposed against him and therefore, the relief sought for in this appeal has become infructuous and this appeal is liable to be disposed of, accordingly.

In fine, on the basis of the observation made earlier, this appeal is disposed of.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

glp

To

1. The Inspector of Police,
Tirupur,
South Police Station
Coimbatore District
2. The Additional District and Sessions Court (FTC 2)
Coimbatore
3. The Superintendent, Central Prison, Coimbatore.
4. The Public Prosecutor, Madras

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