

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CrI.R.C.No.480 of 2010

Nandagopal

... Petitioner

vs.

1.State Rep. By
Sub-Inspector of Police,
Town Police Station,
Arokonam,
Vellore District.
Crime No.642/2001

2.Gunasekaran
3.Parameshwari

... Respondents

Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C., to set aside the order dated 08.03.2010 passed in C.C.No.122 of 2005 on the file of learned Judicial Magistrate, Arakonam.

For Petitioner :No Appearance

For Respondents:Mr.C.Iyyappan,
Government Advocate (CrI. Side) [R1]

O R D E R

This revision arises against the judgment of acquittal rendered by learned Judicial Magistrate, Arakonam, in C.C.No.122 of 2005, on 08.03.2010.

2. On the complaint of P.W.1, a case was registered in Crime No.642 of 2001 against two persons. The case of the prosecution is that upon promise of obtaining a job for the defacto complainant/P.W.1, the first accused has collected sums of Rs.1 Lakh on 15.11.2000 and 27.12.2000, but failed to do so or return the money. Upon completion of investigation, a charge sheet was filed informing commission of offence under Section 420 IPC. The case was tried in C.C.No.122 of 2005 on the file of learned Judicial Magistrate, Arakonam.

3. Before the trial Court, the prosecution examined six witnesses and marked four exhibits. None were examined on behalf of the defence nor were any exhibits marked. On appreciation of materials before it, the trial Court, under judgment dated 08.03.2010, rendered a finding of acquittal. Hence, this revision.

4. No representation for petitioner. Heard learned Government Advocate [Crl.side].

5. In rendering a finding of acquittal, the Court below found that there was no proof of P.W.1 having handed over a sum of Rs.2 lakhs to the accused and that the Investigating Officer had examined only P.W.2, friend of P.W.1 and his immediate relatives P.W.3 and P.W.4 and failed to examine two other persons, who were independent witnesses. In the circumstances, this Court finds no error in the judgment under challenge.

In the result, this Criminal Revision stands dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

The Judicial Magistrate,
Arakonam.

सत्यमेव जयते

Crl.R.C.No.480 of 2010

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