



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU
and

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL A(MD) No.223 of 2015

1 MALAIRAJ
2 SILAMBARASAN
3 POOMAYIL

... APPELLANTS/ACCUSED NOS.1 TO 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR. NO. 287/2012.

... RESPONDENT/COMPLAINANT.

Prayer: Appeal filed under Sec.374(2)Cr.P.C. to call for the records relating to the Judgment passed in S.C.No.79 of 2013 dated 26.03.2015 on the file of the Sessions Judge, Mahila Fast Track Court, Ramanathapuram and set aside the same and acquit the appellants/accused from all the charges leveled against them.

Order : This Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal and proceedings before the Court of Sessions and upon hearing the arguments of MR.GOPALA KRISHNA LAKSHMANA RAJU, Senior counsel for M/S R.VENKATESWARAN, Advocate for the Appellants/Accused and of MR.C.RAMESH, Additional Public Prosecutor, for the respondent, it is ordered as follows:

1. that the Criminal Appeal be and hereby is allowed:

2. that the conviction and sentence imposed on the appellants/accused by Judgment dated 26.03.2015, made in S.C.No.79 of 2013 passed by the learned Sessions Judge/Mahila Fast Track Court, Ramanathapuram, be and hereby are set aside;

3.that the appellants/accused be and hereby are acquitted;

4.that the fine amount, if any, paid by them shall be refunded to them.

5.that the bail bond executed by the appellant No.3 shall stand cancelled.



6. that the superintendent, Central Prison, Madurai be and hereby is directed to release the accused Nos.1 and 2 forthwith, unless their custody is required in connection with any other case.
(Detailed Judgment will follow)

Sd/-

Assistant Registrar (CS-I)

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SESSIONS JUDGE, MAHILA FAST TRACK COURT, RAMANATHAPURAM.
- 2 DO THRO THE PRINCIPAL DISTRICT JUDGE, RAMANATHAPURAM.
- 3 THE JUDICIAL MAGISTRATE, MUDUKULATHUR.
- 4 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 5 THE DISTRICT COLLECTOR, RAMANATHAPURAM.
- 6 THE DIRECTOR GENERAL OF POLICE, MYLAPORE, CHENNAI.
- 7 THE SUPERINTENDENT, CENTRAL PRISON, TIRUCHIRAPPALI.
- 8 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 9 THE INSPECTOR OF POLICE, MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 10 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER DATED: 26.10.2016

ADVANCE ORDER

CRL A (MD) No.223 of 2015

Allowing the Crl.A (MD) No.223/2015 by setting aside the conviction and sentence awarded in S.C.No.79 of 2013 on 26.03.2015 by the Sessions Judge, Mahila Fast Track Court, Ramanathapuram etc., as stated within.

AM/SK.SKN/SAR-3/26.10.2016/2P/11C