



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

Friday, the Fifth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.SELVAM
and

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.1986 of 2016 IN CRL.A(MD)SR.NO.36089/15

N.SARAVANA KUMAR
S/O.NARAYANAN

... PETITIONER

Vs

1. THE INSPECTOR OF POLICE
THIRUPPAVANAM POLICE STATION, SIVAGANGAI DISTRICT.
(CRIME NO. 158/2000)
- 2 T.THIRUGNANAM
- 3 RAVI@RAVICHANDRAN
- 4 VELMURUGAN
- 5 SARAVANAN@RATHINAVEL
- 6 BHASKARAN
- 7 NAGASUNDARAM
- 8 BHANUMATHI

... RESPONDENTS /RESPONDENTS

Petition filed under Section 378(3) of Cr.P.c praying that in the circumstances stated therein and in the affidavit, filed there of the High Court will be pleased to grant leave to File the above Criminal Appeal before this Hon`ble Court.

Criminal Appeal Prayer:-

The Petition under Section 378(3) of Cr.P.C. praying that in and in the affidavit filed there of the High Court will be pleased to set aside the Judgment and Conviction made in S.C.No.83/06 dated 18/08/2015 on the file of the learned Sessions Judge, Sivagangai by enhancing the sentence imposed on the accused person and allow the above Criminal Appeal.

ORDER:- This Criminal Original Petition coming for hearing on this day upon perusing the petition and the affidavit and material papers of this Petition and upon hearing the arguments of Mr.Veerakathiravan, Advocate for the petitioner and of Mr.R.Ramachandran, Additional Public Prosecutor on behalf of the Respondent No.1 and Mr.K.Prabhu, Advocate for Respondent Nos.2 to 8 till this day, the Court made the following Order:-



This Petition has been filed praying to permit the petitioner to prefer Crl.A(MD)SR.No.36089/2015 on the file of this Court.

It is averred in the Petition that the petitioner as a de-facto complainant in S.C.No.83/2006 on the file of the District and Sessions Court, Sivagangai, wherein the respondents 2 to 8 have been shown as accused. The Trial Court has not found the respondents 2 to 8/accused as per the Sections mentioned in the Charges. Under the said circumstances , for getting enhancement of punishment, Crl.A (MD)SR.No.36089/2015 has been filed on the file of this Court and for getting necessary permission, the present Petition has been filed.

Considering the nature of the relief sought in the present Petition and also nature of punishments passed in S.C.No.83/2006 by the Trial Court, the present petition can be allowed.

In fine, this Petition is allowed.

Sd/-

Assistant Registrar(R)

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE
THIRUPPAVANAM POLICE STATION, SIVAGANGAI DISTRICT

2.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

RL/3C/AAL/MPA/SARI/12/2/2016

ORDER Date :05/02/2016
ORDER
CRL.OP(MD) No.1986 of 2016
IN
CRL.A(MD)SR.NO.36089/15
LEAVE PETITION ALLOWED