

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Criminal Appeal Nos. 55 &166 of 2004

M.Thanikachalam @ Chinnapillai .. Appellant in
Crl.A.No.55 of 2004

1.Natarajan @ Jayakumar @ JK
@ Nandakumar @ Kannan

2.Govindarajan @ Lenin @ Dharani

3.Aneesraja @ Anees @ Rajesh @
Vijayan @ Sundar

4.Ilango Nambi @ Ilangovan @ Sivakumar @ Siva
.. Appellants in
Crl.A.No.166 of 2004

Vs

The State by Inspector of Police,
"Q" Branch Police,
Cuddalore, Cuddalore District. .. Respondent in
Crl.A.No.55 of 2004

State of Tamilnadu,
Rep. by Inspector of Police,
Q Br. CB CID,
Cuddalore, Cuddalore District.
(Crime No. 228/2000) .. Respondent in
Crl.A.No.166 of 2004

Prayer in Crl.A.No.55 of 2004 :

Criminal Appeal filed under Section 374(2) of Cr.P.C.,
to against the conviction and sentence passed by the Special
Judge for Bomb blast cases at Poonamallee dated 17.11.2003
made in S.C.No.15 of 2001.

Prayer in Crl.A.No.166 of 2004 :

Criminal Appeal filed under Section 374 of Cr.P.C.,
against the Judgement dated on 17.11.2003 passed in S.C.No.15
of 2001 on the file of the Sessions Judge for Exclusive Trial
of Bomb Blast Cases, Chennai at Poonamallee.

For Appellant : Mr.R.Murugabharathi
(in Crl.A.No.55/2004)

For Appellants : Mr.T.Kalaimani
(in Crl.A.No.166/2004)

For Respondent : Mr.R.Sekar
(in both Crl.As') Gov. Adv. (Crl. Side)

C O M M O N J U D G M E N T

A1, A2, A3 and A4 / petitioners in S.C.No.15 of 2001, on the file of the Learned Sessions Judge for Exclusive Trial of Bomb Blast Cases, Chennai at Poonamallee, are the appellants in Crl.A.No.166 of 2004. A9 is the appellant in Crl.A.No.55 of 2004. Totally there are nine accused. A1 and A2 took charged for the offence under Section 3 of Explosive Substance Act, 1908. A3 took charged for the offence under Sections 506 (ii) IPC r/w 34 IPC, 4(b) of Explosive Substance Act 1908, 151(1) Railway Act and Section 4 of TNPPDL Act 1992. A4 stood charged for the offence under Section 4(b) of Explosive Substance Act 1908 and A9 stood charged for the offence under Section 5 of Explosive Substance Act 1908.

2. The Trial Court, convicted all the accused, and A1 and A2 convicted and sentenced them to undergo 5 years R.I. for the offence under Section 3 of Explosive Substance Act. A3 was convicted and sentenced him to undergo 3 years R.I. for the offence under Section 506 (ii) IPC r/w 34 IPC, sentenced to undergo 4 years R.I. for the offence under Section 4(b) of Explosive Substance Act 1908, sentenced to undergo 3 years R.I. for the offence under Section 151 (1) of Railway Act and sentenced to undergo 2 years R.I. for the offence under Section 4 of TNPPDL Act 1992. A4 was convicted and sentenced him to undergo 4 years R.I. for the offence under Section 4(b) of Explosive Substance Act 1908. A9 was convicted and sentenced to undergo 4 years R.I. for the offence under Section 5 of Explosive Substance Act 1908. The other accused namely A5, A6, A7 and A8 were acquittal. Challenging the above said conviction and sentence, the appellants are before this Court with this present Criminal Appeals.

3.Today, when the matter was taken up for hearing, the learned Government Advocate filed a memo stating that pending appeal, all the appellants had undergone the period of sentence and they were released from jail. The details of date of release is furnished below:-

Accused	Date of Released
Natarajan / A1	08.01.2005

Accused	Date of Released
Govindarajan / A2	08.01.2005
Annees Raja / A3	01.01.2005
Ilango Nambi / A4	18.11.2003
Thanickachalam / A9	24.02.2006

4.The learned counsel appearing for the appellants also admitted the position that pending appeal all the accused had undergone the period of sentence they were released from the prison, and hence he prays for dismissal of the appeals.

5.In the result, the criminal appeals are dismissed, recording the submissions made by the learned counsel for the appellants and the learned Government Advocate for the state.

sji/kyl

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

The Inspector of Police,
State of Tamilnadu,
Q Br. CB CID,
Cuddalore, Cuddalore District.
(Crime.No.228/2000)

Copy to The Section Officer,
Criminal Section, High Court, Madras
Madras.

+1cc to Mr.M.christopher, Advocate Sr.No.90920

MR(CO)
sm:6.2.2018

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