

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 12.07.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**Cr1.R.C. (MD) No.532 of 2017****and****Cr1.M.P (MD) No.5950 of 2017**

Malathi

... Petitioner/Petitioner

Vs.

The Inspector of Police,
S.V.Managalam P.S.,
Thirupathur Taluk,
Sivagangai District.
Crime No.20/2017

... Respondent/Complainant

Petition filed under Sections 397 read with 401 Cr.P.C, to set aside the judgment passed by the learned District Munsif cum Judicial Magistrate, Thirupathur in C.C.No.60/2017, dated 01.07.2017.

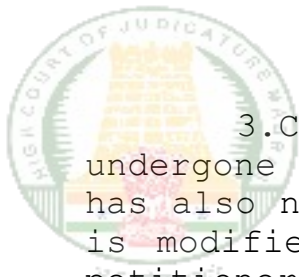
For Petitioner : Mr.G.Karuppasamy Pandian.
For Respondent : Mr.C.Mayilvahana Rajendran,
Additional Public Prosecutor.

ORDER

Questioning the award of sentence imposed on the petitioner for the offence under Section 379 read with Section 511 IPC in C.C.No.60 of 2017 on the file of the District Munsif cum Judicial Magistrate, Thirupathur to undergo six months simple imprisonment, the present Criminal Revision Case has been filed.

2.The case of the prosecution is that the petitioner alleged to have made an attempt to commit theft of gold chain weighing about 5 sovereign of gold belonging to the defacto complainant. Subsequently, she was caught red handed by the relatives of the defacto complainant and was handed over to the police. When the Court framed charges, the petitioner has pleaded guilt, based on which, the Court below convicted the petitioner and sentenced her to undergo six months simple imprisonment. Challenging the same, the present Criminal Revision Case has been filed.

3.When the matter came up for hearing, learned counsel for the petitioner submitted that the petitioner has been remanded to judicial custody from 11.03.2017 and for more than four months, she has been inside and she has no bad antecedent and therefore, sentence imposed on the petitioner may be modified.



3. Considering the fact that the petitioner has already undergone the period of sentence for more than four months and she has also no bad antecedent, the sentence imposed on the petitioner is modified to the period of sentence already undergone and the petitioner shall be released forthwith, if she is not required in connection with any other case. Consequently, Crl.M.P(MD)No.5950 of 2017 is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
S.V.Managalam P.S.,
Thirupathur Taluk,
Sivagangai District.

2. The District Munsif cum Judicial Magistrate,
Thirupathur.

+1cc to M/S. G.KARUPPASAMY PANDIYAN, Advocate, SR.No.64884.

Crl.R.C.(MD) No.532 of 2017
and
Crl.M.P(MD)No.5950 of 2017
12.07.2017

sms

SDS/SKN:RSK/SAR 2/13.07.2017/2P/4C