



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 07.08.2018

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THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

Crl.A.No.90 of 2004

1.Palkara Sekar @ R.E.Sekar  
2.Kokila  
3.Venkatesan  
4.Puspa  
5.Kumar

... Appellants

Versus

State Rep.by the Inspector of Police,  
R.K.Pet Police Station,  
Cr.No.48 of 2001,  
Chengalpet District.

... Respondent

Criminal Appeal filed under Section 374 (2) of the Code of Criminal Procedure, to set aside the judgment of trial Court made in S.C.No.68 of 2002 dated 07.05.2003 by Additional District Judge (Fast Track Court No.5, Chengalpet District) at Tiruvallore.

For Appellants : Ms.N.Premalatha,  
Legal Aid Advocate.

For Respondent : Mr.G.Ramar,  
Government Advocate (Crl.side)

#### O R D E R

This Criminal Appeal is filed to set aside the judgment of Trial Court Passed in S.C.No.68 of 2002 dated 07.05.2003 by Additional District Judge (Fast Track Court No.5, Chengalpet District) at Thiruvallur.

2. The appeal was originally filed by Mr.S.Sivakumar, learned counsel for the appellants / Accused 1 to 5. Due to non appearance of the original counsel appearing on behalf of the appellants, by order dated 13.12.2017, this Court appointed one Ms.N.Premalatha, Legal Aid Advocate appearing for the appellants. Thereafter, even the said Ms.N.Premalatha, did not appear continuously. When the matter was finally directed to be posted on 07.08.2018, this Court directed the respondent-Police to secure and produce the accused 1 to 5 before the Court.

3. The learned Government Advocate (Crl.side) submits that the appellants / Accused 1,2,4 and 5 are present, wherein A3/ K.T.Venkatesan, died on 02.10.2006 and to that effect, he also produced a copy of the death certificate before this Court. The appellants herein Accused 1,2,4 and



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5, who have appeared before this Court submitted that they had already paid the fine amount ordered as punishment imposed by the Trial Court. Therefore, they are not interested in proceed this appeal and accordingly, they sought permission of this Court to close this appeal.

4. Recording their submissions, this appeal is dismissed. The Secretary, the Legal Aid Centre, Chennai is directed to pay sum of Rs.3000 to the legal aid advocate Ms.N.Premalatha.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

klt

To

The Additional District Judge,  
(Fast Track Court No.5, Chengalpet District)  
Thiruvallur.

Copy to :

1.The Section Officer,  
criminal Section,  
high court  
madras

2. The Secretary,  
Legal Aid Centre, Chennai

Cr1.A.No.90 of 2004

ASK(17/09/2018)