



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

Thursday, the Eighth day of November, Two thousand and Eighteen

CORAM:

The Hon'ble Dr.Justice S.VIMALA

and

The Hon'ble Mrs.Justice T.KRISHNAVALLI

(Through Video Conferencing)

CRL A(MD).No.241 of 2016

KALLAMARATHI

...Appellant / Defacto Complainant

- Vs. -

1 RAJAMANI

2 GURU

3 CHARLES

4 KANJIVANAM

5 PRABAKARAN

6 VENGAIYAN

7 RAJU

8 DHARMAN @ DHARMARAJ

9 SAGADEVAN

10 MUTHU

11 CHELLAIAH

12 KAMARAJ

13 SUBBURAJ

14 KANTHAN

15 KAMARAJ

16 KUPPU

17 BALUCHAMY

18 MURUGAN

19 PALANICHAMY

20 AMMAVASI

21 THOTHAN

22 RAMAR

23 CHINNA CHELLAIAH

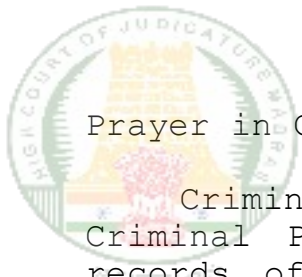
... Respondents / A1 TO A23

24 THE INSPECTOR OF POLICE,

THENKARAI POLICE STATION, THENI DISTRICT.

(CRIME NO.336/2009)

... Respondents / Complainants



Prayer in CRL A(MD).No. 241 of 2016 :

Criminal Appeal is filed under section 372 of the Code of Criminal Procedure praying this Hon`ble Court to call for the records of the Additional District and Sessions Court, Theni at Periyakulam in S.C.No.149 of 2011 dated 14.09.2015, and set aside the acquittal rendered in favour of the accused and convict them.

Whereas on 27.03.2018 while dismissing this Criminal Appeal and confirming the Judgement of acquittal passed by the Additional District and Sessions Court, Theni at Periyakulam in S.C.No.149 of 2011 dated 14.09.2015 the Court hath Ordered to issue Show Cause Notice to the Prosecution i.e. The Respondent No.24 herein, returnable by 06.04.2018, as to why the State should not be ordered to pay compensation to A6 to A23.

Learned Counsel appearing for the State would point out that in the evidence of P.W.11, Velmurugan, he has implicated all the accused including A6 to A23. Had it been brought to the notice of the Court at the hearing stage itself, we would not have issued the Show Cause notice.

There is prima facie material to show the participation of A6 to A23. The Show Cause notice is closed, accepting the explanatoin by the prosecution.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)

TO

- 1.The Additional District and Sessions Judge,
Theni at Periyakulam.
- 2.The Inspector of Police,
Thenkarai Police Station, Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court ,Madurai.

COPY TO

- 1.THE REGISTRAR (JUDICIAL)
Madurai Bench of Madras High Court, Madurai.

- 2.THE ASSISTANT REGISTRAR (CRIMINAL SIDE),
Madurai Bench of Madras High Court, Madurai.



3.THE SECTION OFFICER (CRIMINAL SECTION),
Madurai Bench of Madras High Court,
Madurai. 2COPIES

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DATE OF ORDER: 08.11.2018

ORDER

CRL A (MD) .No.241 / 2016

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