



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRL.R.C. (MD) No.472 of 2018

WEB COPY

Ramanathan

... Revision Petitioner / Appellant/
Sole Accused

-vs-

State Represented by
The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukkottai District.
(Crime No.132 of 2013)

... Respondent / Respondent/
Complainant

PRAYER: Criminal Revision Case filed under Sections 397 and 401 Cr.P.C., praying to set aside the judgment dated 12.06.2018 in Crl.A.No.30 of 2017 on the file of the Principal District and Sessions Judge, Pudukkottai confirming the judgment dated 13.07.2017 in S.C.No.68 of 2014 passed by the Chief Judicial Magistrate, Pudukkottai.

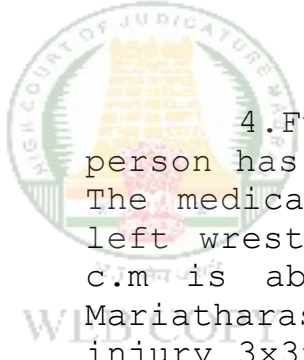
For Petitioner : Mr.K.Baalasundharam
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

2.Against the concurrent findings given by both the Courts below, the present Criminal Revision Case is filed before this Court.

3.On perusal of the records, it is found that though charges were framed under Sections 447, 324, 307 IPC along with 294(b), 341 IPC, the Trial Court has acquitted the accused person for the offences under Sections 447, 324 and 307 IPC and convicted the accused for the offences under Sections 294(b) and 341 IPC and imposed a fine of Rs.1,000/- in default to undergo imprisonment for two months for the offence under Section 294(b) and imposed a fine of Rs.500/- in default to undergo imprisonment for one month for the offence under Section 341 IPC.



4. Further, it is found that by using Aruval, the accused person has caused injury on the hands and legs of one Anthonysamy. The medical report also indicates that one cut injury is on the left wrist 5x3x2 c.m exposing bone. Another cut injury 4x2x2 c.m is above the first injury. As far as the other victim Mariatharasi is concerned, the Doctor has certified that one cut injury 3x3x1 c.m is on the right side of her lap and a contusion on the left lap by 2x2 c.m. The aruval alleged to have been used was also recovered, but for want of evidence, both the Courts have given benefit of doubt to the petitioner. So far as the offences under Sections 447, 324, 307 IPC, are concerned, despite injuries found on the bodies of the two victims and acquiring evidence to the effect that they caused injury based on the Doctor's medical report, both the Courts below have held the accused guilty of using abusive language and wrongfully restraining them. Both the Courts below have shown much indulgence in disbelieving the case of the prosecution, as far as the offences under Sections 447, 324, and 307 IPC are concerned, despite adequate evidence, extended the benefit of doubt to the accused persons, and they had only found guilty under Sections 294(b), 341 IPC and imposed only fine.

5. This Court finds no reason to interfere with the concurrent findings given by the Courts below. Accordingly, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Principal District and Sessions Judge,
Pudukkottai.
2. The Chief Judicial Magistrate,
Pudukkottai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

MYR

VB/RP/SAR3/05.09.2018/2P/4C

CRL.R.C. (MD) No.472 of 2018

16.08.2018