

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.A.No.344 of 2014

and

Crl.M.P.Nos.1 of 2014 & 2 of 2015

Moorthy

... Appellant

Vs

The Inspector of Police,
J.J.Nagar Police Station,
J.J.Nagar, Chennai.
Crime No.427 of 2011

... Respondent

PRAYER:

Criminal Appeal filed under Section 374 of Criminal Procedure Code, to set aside the conviction and sentence passed by the learned Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Tiruvallur against the appellant on 21.04.2014 in S.C.NO.287 of 2012 and acquit him.

For Appellant : Mr.K.Shankar

For Respondent : Mr.T.Shanmugarajeswaran
Government Advocate (Criminal Side)

O R D E R

The respondent police registered a case against the appellant for the offence under Sections 452, 506(ii) and 376 IPC, in Crime No.427 of 2011 on the file of the J.J.Nagar Police Station, Chennai. After completion of the investigation the respondent police laid charge sheet before the learned Judicial Magistrate, Ambattur. The learned Judicial Magistrate, Ambattur, taken the charge sheet on file in P.R.C.No.48 of 2011. Since the case is triable by the Court of Sessions, thereafter the learned Judicial Magistrate, has committed the case to the learned Principal Sessions Judge, Tiruvallur, the learned Sessions Judge, taken the case on file in S.C.No.287 of 2012 and made over to the learned Sessions Judge, Magalir Neethimandram Tiruvallur, (Fast Track Mahila Court). The learned Sessions Judge, after completing the trial, found guilty for the offences, hence, convicted and sentenced him as follows:

Sl.No	Sections	Sentence
1	452 IPC	Sentenced to undergo two years Rigorous Imprisonment with a fine of Rs.5,000/- in default to undergo further three months Rigorous Imprisonment.
2	506(ii) IPC	Sentenced to undergo two years Rigorous Imprisonment with a fine of Rs.5,000/- in default to undergo further three months Rigorous Imprisonment.
3	376 IPC	Sentenced to undergo seven years Rigorous Imprisonment with a fine of Rs.10,000/- in default to undergo further six months Rigorous Imprisonment.

2 Challenging the said judgment passed by the learned Sessions Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Tiruvallur, in S.C.No.287 of 2012 the appellant has preferred the appeal before this Court.

3 When the matter is taken up for hearing today for disposal of the appeal, the learned Government Advocate (Criminal Side) would submit that the appellant had already undergone the sentence imposed by the trial Court, Magalir Neethi Mandram, Fast Track Mahila Court, Tiruvallur, in S.C.No.287 of 2012. The learned counsel for the appellant also admitted above submission and not willing to contest the appeal further.

4 In view of the above submission made by either side counsel and nothing survives in the appeal for adjudication, this Criminal Appeal is dismissed as infructuous. Consequently, the connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sbn

To

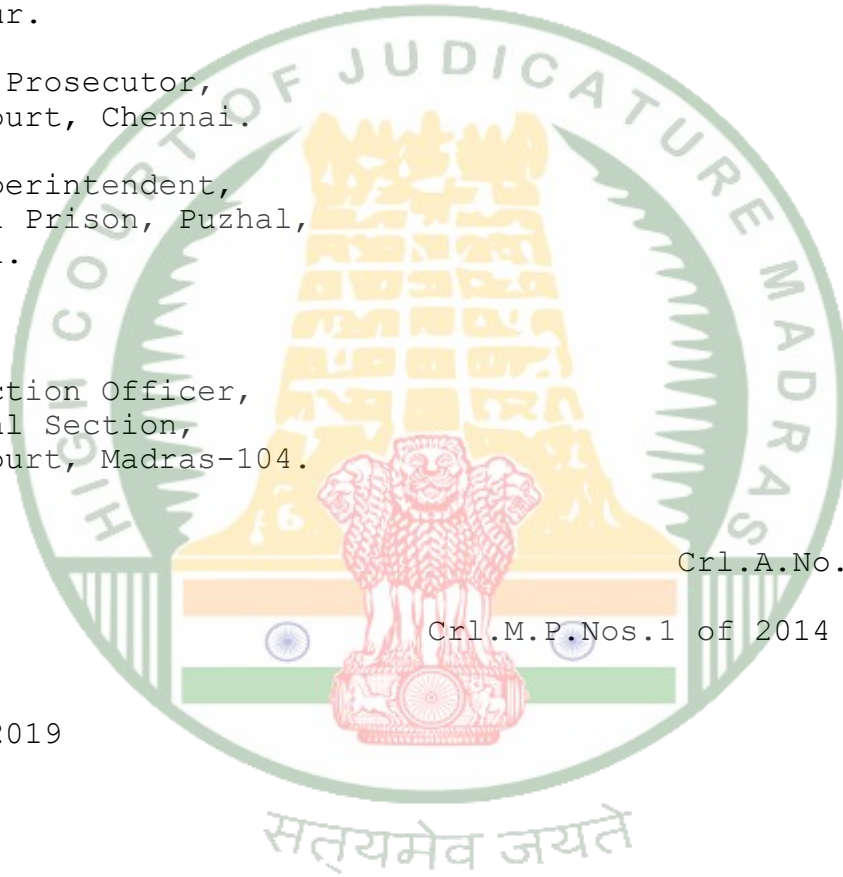
1. The learned Sessions Judge,
Magalir Neethi Mandram,
Fast Track Mahila Court,
Tiruvallur.
2. The Inspector of Police,
J.J.Nagar Police Station,
J.J.Nagar, Chennai.
3. The Judicial Magistrate,
Ambattur.
4. Public Prosecutor,
High Court, Chennai.
5. The Superintendent,
Central Prison, Puzhal,
Chennai.

Copy To

The Section Officer,
Criminal Section,
High Court, Madras-104.

Crl.A.No.344 of 2014
and
Crl.M.P.Nos.1 of 2014 & 2 of 2015

KS (CO)
CS/16/09/2019



WEB COPY