

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cr1.O.P.No.29710 of 2019

Mahendran

...Petitioner

Vs

The State rep by
The Inspector of Police,
Thiruvainallur Police Station,
Villupuram District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to declare the acquittal of the petitioner/accused -2 in S.C.No.405 of 2014 dated 17.06.2017 on the file of the learned Chief Judicial Magistrate II, Villupuram is held to be Honourable acquittal.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to declare the acquittal of the petitioner/accused -2 in S.C.No.405 of 2014 dated 17.06.2017 on the file of the learned Chief Judicial Magistrate II, Villupuram is held to be Honourable acquittal.

2. The judgment in S.C.No.405 of 2014, acquitting the petitioner/accused no.2 is on the proper appreciation of the offences and statement of the witnesses. Since the trial Court had come to the conclusion that the material object was not recovered and produced before the Court and that they were no eye witnesses to the incident and also that the injury was not substantiated by way of medical records, the judgment of acquittal was passed. It is further observed by the trial Court that the Investigating Officer has not chosen to examine himself. When all the evidences were properly appreciated and the acquittal order came to be passed, the judgment in S.C.No.405 of 2014 dated 17.06.2017 on the file of the learned Chief Judicial Magistrate No.II, Villupuram acquitting the

petitioner herein/ accused no.2, can only be termed to be an "honourable acquittal".

3. With the above observations, the Criminal Original Petition stands closed.

Sd/-
Assistant Registrar(J)

//True copy//

Sub Assistant Registrar

vkr

To

1.The Inspector of Police,
Thiruvainallur Police Station,
Villupuram District.

2.The Chief Judicial Magistrate II,
Villupuram.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.R.Thirumoorthy, Advocate SR.No.95180

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GMV (06/12/2019)

सत्यमेव जयते
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