



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRL A(MD)No.95 of 2012

Nagaraj

... Appellant / Single Accused

Vs.

State, rep.by
The Inspector of Police,
Government Hospital Police
Station,
Trichy District.
(Crime No.124/11)

... Respondent / Complainant

Prayer : This Criminal Appeal is filed under Section 374 of the Criminal Procedure Code, to call for the records relating to the order in S.C No.146 of 2011 dated 25.04.2012 on the file of the Additional District Sessions Judge, Trichy and set aside the same.

For Appellant : Mr.N.Anandkumar

For Respondent : Mr.A.Robinson
Government Advocate (crl.side)

ORDER

The revision petitioner was found guilty of the offences under Sections 332 of IPC and sentenced to undergo two years rigorous imprisonment and levied with a fine of Rs.5,00/-, in default, to undergo three months rigorous imprisonment vide judgment dated 25.04.2012 in S.C No.146 of 2011 passed by the learned Additional District Sessions Judge, Trichirappalli. Challenging the same, this appeal has been filed.

2.When the matter was taken up for hearing, the learned counsel appearing for the appellant submitted that having regard to the evidence on record, he would not question the finding of guilt rendered by the court below and that he would be satisfied if some leniency is shown in the matter of punishment.

3.Taking note of the mitigating circumstances of the case, even while upholding the conviction and fine imposed on the appellant, the learned judge has considered the facts and circumstances and modifies the sentence of imprisonment to the period already undergone by the appellant.



4. With this modification in the matter of sentence, this appeal is partly allowed.

Sd/-

Assistant Registrar (CS-III)

WEB COPY / TRUE COPY /

Sub Assistant Registrar

To

1. The Additional District Sessions Judge, Trichy.

2. The Inspector of Police,
Government Hospital Police Station,
Trichy District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s. N. ANANDA KUMAR, Advocate (SR-74813[F] dated 11/07/2019)

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skm

JM/03.09.2019/2P/5C