

**Bail Slip**

M.Mari @ Marriappan s/o Maruthu, male Age about 42/2011 sole Accused is released on bail vide court order dated 06.09.2011 made in MP(MD)No.1 of 2011 in CRL.A(MD)No.268 of 2011.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.A.(MD)No.268 of 2011

M.Mari @ Marriappan

... Appellant

Vs

The State Represented by its,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.430 of 2009)

... Respondent

PRAYER: Criminal Appeal is filed under Section 374 of Cr.P.C., to call for the records from the Sessions Judge, Sivagangai to duly set aside the Judgment of Lower Court by acquitting the appellant in S.C.No.67 of 2010, dated 18.08.2011 of the Sessions Court, Sivagangai.

For Appellant

: Mr.J.Jeyakumaran

For Respondent

: Mrs.S.Bharathi

Government Advocate (Crl.side)

JUDGMENT

The appellant was convicted for the offence under Section 498(A) of IPC and sentenced to three years rigorous imprisonment, vide Judgment dated 18.08.2011 in S.C.No.67 of 2010 on the file of the Sessions Judge, Sivagangai. Challenging the same, this appeal has been filed.

2.The learned counsel appearing for the appellant submitted that having regard to the evidence on record, he would not challenge the finding of guilt or conviction and that he would be satisfied, if substantial modification is given in the matter of sentence. The appellant is now aged about 50 years. The occurrence had taken place in the year 2009. The appellant had already spent 90 days in prison.



3. Taking note of these aspects, this Court reduces the period of imprisonment from three years to one year and three months rigorous imprisonment. The period of incarceration already undergone by the appellant will be set off in terms of Section 428 of Cr.P.C. The conviction imposed on the appellant is confirmed.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

To

1. The Sessions Judge,
Sivagangai, Sivagangai District.
2. The Principal Sessions Judge,
Sivagangai.
3. The Judicial Magistrate No.I, Sivagangai.
4. The Chief Judicial magistrate,
Sivagangai.
5. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
6. The Additional Public Prosecutor,
Madurai bench Of Madras high Court, Madurai.

Copy to:

The Section Officer, Criminal Section(2 copies)
Madurai bench Of madras High Court, Madurai.

+1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-77573[F] dated 25/07/2019)

CrI.A. (MD) No.268 of 2011
25.07.2019

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MS/10.09.2019/2P.10C