

**Bail Slip**

The Appellant/Sole Accused Viz. Anbalagan, S/o.Karuppiyah was released on bail order dated 12.01.2011 made in MP(MD).No.1 of 2011 in CrI.A.(MD).No.5/2011

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.A.(MD)No.5 of 2011

Anbalagan

... Appellant/Sole Accused

Vs.

State rep. by  
The Inspector of Police,  
Vilakkuthune Police Station,  
Madurai.  
(Crime No.135 of 2007)

... Respondent/Complainant

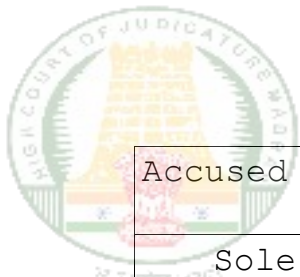
Prayer: Criminal Appeal is filed under Section 374 of Cr.P.C, to call for the records from the Lower Courts and set aside the judgment of the learned Additional Sessions Judge (Fast Track Court No.I), Madurai in S.C.No.81 of 2010, dated 30.12.2010 by allowing this appeal.

For Appellant : Mr.C.Lakshmanan  
For Mr.K.K.Ramakrishnan

For Respondent : Mr.A.Robinson  
Government Advocate (CrI. Side)

**JUDGMENT**

The appellant was shown as accused in Crime No.135 of 2007, on the file of Vilakkuthune Police Station, Madurai. Investigation was undertaken and the case was taken up for trial in S.C.No.81 of 2010, on the file of the learned Additional Sessions Judge, Fast Track Court No.I, Madurai. The appellant was convicted and sentenced as follows:-



| Accused      | Penal Provisions      | Punishment                                                     |
|--------------|-----------------------|----------------------------------------------------------------|
| Sole Accused | 279 and 337 of I.P.C. | To undergo imprisonment for three months rigorous imprisonment |
|              | 353 of I.P.C.         | To undergo imprisonment for six months rigorous imprisonment   |
|              | 177 of M.V. Act       | To pay a fine of Rs.100/-                                      |

Questioning the same, this criminal appeal has been filed.

2. When the matter was taken up for hearing, the learned counsel appearing for the appellant submitted that the appellant was in custody for 21 days during remand. He was arrested on 09.02.2007 and released on 22.02.2007. He further submitted that the sentence imposed on him can be modified and reduced to the period already undergone. This is more because the occurrence had taken place way back in the year 2007. Taking note of all these mitigating aspects, even while confirming the conviction imposed on the appellant, this Court modifies and reduces the sentence to the period already undergone. This criminal appeal is partly allowed.

Sd/-

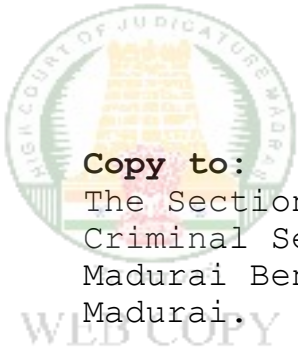
Assistant Registrar (Writs)

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Sub Assistant Registrar (CS)

To:

1. The Additional Sessions Judge  
Fast Track Court No.I, Madurai.
2. The Chief Judicial Magistrate, Madurai.
3. The Judicial Magistrate No.I, Madurai
4. The Superintendent, Central Prison, Madurai.
5. The Inspector of Police,  
Vilakkuthune Police Station,  
Madurai.
6. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**Copy to:**

The Section Officer, (2 Copies)  
Criminal Section / Record,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.K.K.RAMAKRISHNAN, Advocate ( SR-75950[F] dated  
18/07/2019 )

Cr1.A.(MD)No.5 of 2011  
17.07.2019

ias

JMN(16.08.2019) 3P : 10C