

**Bail Slip**

The Appellant/Accused namely Venkataraman S/o.Narayana Kumar was released on Bail by this Hon'ble Court made in MP(MD)No.1 of 2011 in Cr1 A.(MD)No.86 of 2011 dated 22.03.2011.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 12.07.2019****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****Cr1.A.(MD)No.86 of 2011**

Venkataraman

...Appellant/Accused No.1

Vs.

The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.

...Respondent/Complainant

Prayer: Criminal Appeal Case is filed under Section 374 (2) of Cr.P.C, to call for the records pertaining to S.C.No.99 of 2010 on the file of learned Mahalir Court, (Mahila Court), Tirunelveli set aside the conviction and sentence imposed on the appellant by his judgment dated 11.03.2011 and acquit the appellant.

For Appellant : Mr.A.Arun Prasad

For Respondent : Mr.A.Robinson

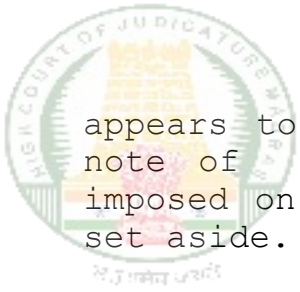
Government Advocate (Criminal Side)

JUDGMENT

The appellant was found guilty for the offence under Section 323 of I.P.C. and sentenced to undergo one year rigorous imprisonment and he was levied with fine of Rs.1,000/- vide the impugned judgment dated 11.03.2011 in S.C.No.99 of 2010, on the file of the learned Mahila Court, Tirunelveli. Challenging the same, this criminal appeal has been filed.

2.When the matter was taken up for hearing, the learned counsel appearing for the appellant reported no instructions.

3.The learned Government Advocate (Criminal Side) appearing for the respondent fairly pointed out that the appellant's wife had stated before the Trial Court that they were living together. The appellant is alleged to have strangulated his wife, who was examined as P.W.2. It is also seen that no serious injury was caused to the injured. It is only a case of mere strangulation. The appellant



appears to have been in custody for some time. Therefore, taking note of all these aspects even while sustaining the conviction imposed on the appellant, the sentence imposed on the appellant is set aside. This Criminal Appeal is partly allowed.

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Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Judge, Mahila Court, Tirunelveli.
- 2.The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.
- 3.The Record Keeper,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 5.The Judicial Magistrate No.III,
Tirunelveli.
- 6.The Chief Judicial Magistrate,
Tirunelveli.
- 7.The Superintendent,
Central Prison, Palayamkottai.

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12.07.2019

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