

**Bail Slip**

The Petitioner namely Kanna @ T.P.Aruneswaran, S/o.A.A.Perumal was directed to be released on bail as per order of this Hon'ble Court dated 15.09.2009 made in MP(MD)No.1 of 2009 in Cr1.RC(MD). No.463 of 2009.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANCr1. R.C.(MD)No.463 of 2009

Kanna @ T.P.Aruneswaran

.. Petitioner/1st Appellant/
1st Accused

Vs.

Shanthi @ Shanthi Devi

.. Respondent/Respondent/
Complainant

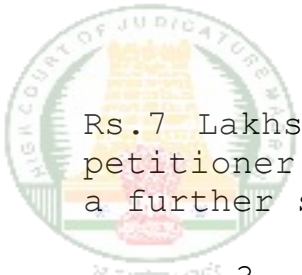
Prayer : This Criminal Appeal is filed under Section 374 r/w 401 of Cr.P.C., to call for the records on the file of the learned Additional Sessions Judge(EC Court), Thanjavur, in C.A.No.48 of 2008 by Judgment dated 30.10.2008 confirming the conviction and sentence imposed by the learned District Munsif cum Judicial Magistrate, Papanasam, in C.C.No.202 of 2003 by Judgment dated 15.04.2008 and set aside the Judgments of the Courts below and acquit the petitioner.

For Petitioner : Mr.K.Abiya,
Legal Aid Counsel.
For Respondent : Mr.K.Ramanathan

O R D E R

The Revision petitioner was found guilty of the offence under Section 494 of I.P.C. and sentenced to two years Rigorous Imprisonment and levied with a fine of Rs.2,000/-, vide Judgement dated 15.04.2008 in C.C.No.202 of 2003 on the file of the learned District Munsif cum Judicial Magistrate, Papanasam. It was confirmed as such in C.A.No.48 of 2008 on the file of the learned Additional District and Sessions Judge(EC Court), Thanjavur. Challenging the same, this Criminal Revision case has been filed.

2. When the matter was taken up for hearing, the learned counsel appearing for the parties submitted that based on the undertaking given by the Revision petitioner that he would comply with the directions set out in O.S.No.104 of 2013 on the file of the learned Additional Sub Judge, Thanjavur, the matter can be compounded. The petitioner had agreed to pay a sum of



Rs.7 Lakhs as education expenses of the daughter. The Revision petitioner had earlier made substantial payment and he had to pay a further sum of Rs.2,30,000/-.

3. Today when the matter was taken up for hearing, the said amount had been paid to the respondent Shanthi @ Shanthi Devi through Demand Draft. The respondent is present in person. She acknowledged the receipt of the Demand Draft in original. When this Court called upon the respondent to indicate as to whether the case can be closed as compounded, the respondent replied that she is willing for the same provided. The Revision petitioner undertakes to comply with the civil Court's decree dated 15.10.2015. The Revision petitioner Thiru.Kanna @ T.P.Aruneswaran who is present in person gives an undertaking before this Court that he would scrupulously adhere to the terms of the compromise decree made in O.S.No.104 of 2013 on the file of the learned Additional Subordinate Judge, Thanjavur on 15.10.2015. In view of the undertaking given by the Revision petitioner, the Judgments passed by the Court below are set aside as the matter has been compounded.

4. The Criminal Revision case is allowed on these terms. The Revision petitioner is acquitted of the offence under Section 494 of I.P.C. The bail bond, if any, executed by him shall stand cancelled and fine amount, if any, paid by him, shall be repaid to him. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Additional Sessions Judge(EC Court), Thanjavur.
2. The District Munsif cum Judicial Magistrate, Papanasam.
- 3.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.K.RAMANATHAN, Advocate SR-75143.

+1 CC to Mr.K.ABIYA, Advocate SR-75149.

Cr1. RC(MD)No.463 of 2009

12.07.2019