



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.07.2019
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

Cr1.R.C. (MD)No.632 of 2011

Gnanmirtham

... Petitioner

Vs.

1.Nelson Kumar

2.The State through,
The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.
(Crime No.10 of 1999)

... Respondent

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to set aside the order of acquittal passed in Cr1.A.No.22 of 2009, passed on 20.07.2009, by the Principal Sessions Court, Maduari and remit the matter for fresh consideration.

For Petitioner : Mr.A.Ilangovan

For Respondent : Mrs.S.Bharathi

Govt. Advocate (Cr1. Side) for R2

: Mr.C.M.Arumugam for R1

O R D E R

The revision petitioner is the defacto complainant in C.C.No.720 of 2000, on the file of the learned Judicial Magistrate No.VI, Maduari. The first respondent herein was prosecuted for the offence under Sections 498(A) and 406 of I.P.C. Vide judgment dated 30.03.2009, the first respondent herein was convicted under both Sections and sentenced to one year rigorous imprisonment. Questioning the said judgment passed by the Trial Magistrate, the first respondent filed C.A.No.22 of 2009 before the learned Principal Sessions Court, Maduari. The Appellate Court by judgment dated 20.07.2009 allowed the appeal and acquitted the first respondent herein of all the offences with which he was charged. 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 first respondent on instructions submitted that in order to give quietus to the issue, he would pay a sum of Rs.8,000/- per month for a period of 12 months. The revision petitioner's counsel is directed to furnish the bank account details of the revision petitioner to the learned counsel appearing for the



first respondent. The first respondent shall deposit a sum of Rs.8,000/- on or before the tenth day of the month. The liability of the first respondent will commence from the month of September, 2019. The first respondent undertakes to remit a total sum of Rs.96,000/-. Since the offer made by the first respondent is acceptable to the revision petitioner, the criminal revision case is disposed of on these terms. It is made clear that if the first respondent fails to honour the undertaking, it is open to the revision petitioner to move for this Court to punish the first respondent for having breached the undertaking given before this Court.

Sd/-
Assistant Registrar (CS-II)

/TRUE COPY/

Sub Assistant Registrar

To:

1. THE PRINCIPAL SESSIONS COURT, MADURAI.
2. THE JUDICIAL MAGISTRATE NO.6,
MADURAI
3. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUPARANKUNDRAM,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
(2 COPIES)

+1 CC to M/s.A.ILANGO VAN, Advocate (SR-79109[F] dated 01/08/2019)

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-79581[F] dated 02/08/2019)

**Cr1.R.C. (MD) No.632 of
2011
31.07.2019**

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