

**Bail Slip**

Karmegam, S/o.Karuppiyah, Nambuthalai Village, Thondi, Ramnad District was released on bail of this Court order dated 29.06.2010 in MP(MD)No.1/2010 in CRL A(MD)No.198 of 2010.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED : 08.08.2019****CORAM:****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****Crl A(MD)No.198 of 2010**

Karmegam

... Appellant/Accused

Vs.

State, through the Inspector of Police,
CBCID P.S., Ramanathapuram,
in Thondi P.S., Cr.No.189/08

... Respondent/Complainant

Prayer : This Criminal Appeal is filed under Section 374 of Criminal Procedure Code, to set aside the conviction and sentence passed by the learned Addl., Sessions Judge/Fast Track Court, Ramanathapuram in S.C No.137 of 2008 on 27.05.2010.

For Appellant	: Mr.M.Karthikeya Venkatachalapathy for Mr.K.Sundaravel
For Respondent	: Mr.A.Robinson Government Advocate (crl.side)

JUDGMENT

The appellant was convicted of the offence under Section 363 IPC and sentenced to undergo three years rigorous imprisonment vide judgment dated 27.05.2010 in S.C No.137 of 2008 on the file of the Additional Sessions Judge, Fast Track Court, Ramanathapuram. Questioning the same, this appeal came to be filed.

2.The learned counsel appearing for the appellant submitted that having regard to the evidence on record he would not question the finding of guilt and that he would be satisfied if some leniency is shown in the matter of punishment. It is seen that when the occurrence took place, the appellant was studying in 11th standard and the victim girl was studying in 6th standard in the very same school. They eloped. The occurrence had taken place in the year 1997. More than 22 years have elapsed. The appellant got married and is having a female child to support. Likewise, the victim girl has also got married to somebody else. At this stage, sending the appellant to prison will only ruin his life. It will not advance the cause of justice. The appellant was in prison for about 96



days. Therefore, even while sustaining the conviction imposed on the appellant, the sentence of imprisonment is modified and reduced to the period already undergone by the appellant. The bail bond executed by the appellant shall stand cancelled.

3. With this modification in the matter of sentence, the appeal is partly allowed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Inspector of Police, CBCID P.S.,
Thondi Police Station, Ramanathapuram.
2. The Additional Sessions Judge/
Fast Track Court, Ramanathapuram.
3. Do -through The Chief Judicial Magistrate,
Ramanathapuram
4. The Judicial Magistrate,
Ramanathapuram

Copy to:

The Govt. Advocate (Crl.side)
Madurai Bench of Madras High court, Madurai

+1 CC to Mr.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-80828[F]
dated 09/08/2019)

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08.08.2019

skm

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