

**Bail Slip**

1) Jayasankar, S/o. Dhanapal, male 35/2010, 2) Gandhi, S/o. Ondimuthu, male aged about 48/2010, 3) Rajendran, S/o. Nagamuthu, male 41/2010 were released on Bail, vide court dated 03.08.2010 made in MP(MD) No.1 of 2010 in CRL A(MD).No.262 of 2010.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED : 12.07.2019****CORAM :****THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN****CRL A (MD) No.262 of 2010**

1. Jayasankar

2. Gandhi

3. Rajendran

... Appellants / Accused Nos.1 to 3

Vs.

State, rep.by
The Inspector of Police,
Ayyampettai Police Station,
(In Cr.No.57 of 2008)
Thanjavur District.

... Respondent / Complainant

Prayer : This Criminal Appeal is filed under Section 374 (2) of Criminal Procedure Code, to call for the records in S.C No.87 of 2010 on the file of the learned Additional Sessions Judge (FTC-1), Thanjavur, set aside the conviction and sentence imposed on the appellant by the learned Additional Sessions Judge (FTC-1), Thanjavur by judgment dated 12.07.2010, acquit the appellant.

For Appellants : Mr.S.Pari

For Respondent : Mrs.S.Bharathi,
Government Advocate (crl.side)

JUDGMENT

The appellants were shown as accused Nos.1 to 3 in S.C No.87 of 2010 on the file of the Additional District and Sessions Judge, Fast Track Court No.I, Thanjavur. They were convicted for the offence under Section 399 IPC and sentenced to one year rigorous imprisonment and to pay a fine of Rs.1000/-. Questioning the same, this appeal has been filed.

2. When the matter was taken up for hearing, the learned counsel appearing for the appellants submitted that he would not question the finding of guilt and that he would be satisfied if some leniency is shown in the matter of sentence.

3. Taking note of the fact that the case was only for preparation and not actual commission of offence of robbery as such, even while sustaining the conviction and fine, this Court reduces the sentence of imprisonment to the period already undergone by the appellants. With this modification in the matter of sentence, this criminal appeal is partly allowed.

Sd/-

Assistant Registrar(Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Skm

To

1. The Additional Sessions Judge (FTC-1), Thanjavur.
2. The Judicial Magistrate No.III, Thanjavur.
3. The The Inspector of Police, Ayyampettai Police Station, Thanjavur District.
4. The Superintendent, Central Prison, Trichy.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

COPY TO.

The Section Officer, Crl Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)

CRL A (MD) No.262 of 2010
12.07.2019

DB (CO)
TR(19.03.2020) 2P 8C