

**BAIL SLIP**

1)Selvakumar, S/o.Chermasamy, Accused No.1, 2)Desingu Raja, S/o.Chermasamy, Accused No.3 was released on bail vide order of this Court dated 08/02/2010 in MP(MD)No.1 of 2010 in CRL A(MD)No.27 of 2010.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED : 22.07.2019****CORAM :****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****CRL A (MD)No.27 of 2010**

1.Selvakumar

2.Desingu Raja

... Appellants /
Accused Nos.1 & 3**Vs.**

The State rep.by
The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.

... Respondent /
Complainant

(Crime No.2 of 2006)

Prayer : This Criminal Appeal is filed under Section 374 of Criminal Procedure Code, against the judgment and conviction rendered by the learned Assistant Sessions Judge, Kovilpatti, Thoothukudi District in S.C No.327 of 2007 vide his judgment dated 11.01.2010 by convicting the appellants under Section 304(B)(2) of IPC and sentenced them to undergo 10 years rigorous imprisonment.

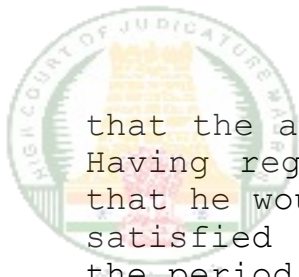
For Appellants : Mr.R.Anand

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

In S.C No.327 of 2007 on the file of the learned Assistant Sessions Judge, Kovilpatti, Thoothukudi District, Selvaraj, Arulmeri and Desingu Raja faced prosecution for the offence under Section 304 (B) IPC and Section 4 (B) of the Tamil Nadu Dowry Prohibition Act, 1961. By the impugned judgment dated 11.01.2010, the learned Trial Judge acquitted the second accused Arulmeri but convicted the appellants herein A1 and A3 of the offence under Sections 304(B) IPC and sentenced them to undergo 10 years rigorous imprisonment. Challenging the same, this appeal has been filed.

<https://hcservices.ecourts.gov.in/hcservices/>

2.When the matter was taken up for hearing, it was submitted



that the appellants have spent almost nine years of their sentence. Having regard to this position, the appellants' counsel submitted that he would not question the finding of guilt and that he would be satisfied if the sentence imposed on the appellants is reduced to the period already undergone.

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3.I am of the view that in view of the substantial term of imprisonment already undergone by the appellants, the request of the appellants' counsel can be accepted. Therefore, conviction imposed on the appellants is confirmed. The sentence of imprisonment alone is reduced to the period already undergone by them.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Judicial Magistrate,
Vilathikulam, Thoothukudi District.
- 2.Do thro The Chief Judicial Magistrate,
Thoothukudi District.
- 3.The Assistant Sessions Judge,
Kovilpatti, Thoothukudi District.
- 4.The Principal District Judge,
Thoothukudi.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 6.The Superintendent of Central Prison,
Palayamkottai.
- 7.The The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.

CRL A (MD) No.27 of 2010
22.07.2019