



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.A(MD)Nos.217 to 220 of 2013

In CrI.A.(MD)No.217 of 2013

Joel ... Appellant/Respondent/Complainant

Vs

C.Wilson ... Respondent/Appellant/Accused 1

PRAYER: Criminal Appeal is filed under Section 374 of Cr.P.C., to set aside the order of acquittal dated 18.10.2011 of the learned Judge, Fast Track Court No.1, Tirunelveli in C.A.No.58 of 2005 and reverse the same and allow the appeal.

For Appellant : Mr.S.Xavier Rajini

For Respondent : Mr.R.Manimaran

In CrI.A.(MD)No.218 of 2013

Joel ... Appellant/Respondent/Complainant

Vs

1.Pon Thilgar Stanely(A3)

2.Jeyaraj(A15)

3.Rajkumar(A16)

4.Glorium Arulraj(A17) ... Respondents/Appellants/
Accused Nos.3,15,16 and 17

PRAYER: Criminal Appeal is filed under Section 374 of Cr.P.C., to set aside the order of acquittal dated 18.10.2011 of the learned Judge, Fast Track Court No.1, Tirunelveli in C.A.No.59 of 2005 and reverse the same and allow the appeal.

For Appellant : Mr.S.Xavier Rajini

For R1 : Mr.R.Manimaran



For R2 to R4 : Mr.K.Prabhu

In Crl.A. (MD)No.219 of 2013

Joel

... Appellant/Respondent/Complainant

Vs

1.Maxwell (A7)

2.Gift Jeyakumar (A8)

3.Salomi Chritilight (A10) ... Respondents/Respondents/
Accused Nos.7,8&10

PRAYER: Criminal Appeal is filed under Section 374 of Cr.P.C., to set aside the order of acquittal dated 18.10.2011 of the learned Judge, Fast Track Court No.1, Tirunelveli in C.A.No.60 of 2005 and reverse the same and allow the appeal.

For Appellant : Mr.S.Xavier Rajini

For Respondent s : Mr.R.Manimaran

In Crl.A. (MD)No.220 of 2013

Joel

... Appellant/Respondent/Complainant

Vs

1.H.Ravindran (A2)

2.D.Raja Lionel (A5)

3.Jamuna Christian (A9)

4.John Bagyanathan Ebenezer (A13)

5.K.Frank Merinie (A14) ... Respondents/Appellants/
Accused Nos.2,5,9,13 and 14

PRAYER: Criminal Appeal is filed under Section 374 of Cr.P.C., to set aside the order of acquittal dated 18.10.2011 of the learned Judge, Fast Track Court No.1, Tirunelveli in C.A.No.55 of 2005 and



reverse the same and allow the appeal.

For Appellant : Mr.S.Xavier Rajini

For Respondent : Mr.R.Manimaran

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COMMON JUDGMENT

These four appeals have been filed by the complainant in C.C.No.54 of 2004 on the file of the Judicial Magistrate No.1, Tirunelveli. The said private complaint was instituted by the appellant herein as he felt defamed by the contents of the representation submitted by the accused before the Bishop of C.S.I. Diocese, Tirunelveli.

2.His specific allegation is that the said representation was circulated among the members of the laity in front of the Church. The learned trial Magistrate, by Judgment dated 18.01.2011, found the accused guilty, but then, levied only a nominal fine on them. Aggrieved by the same, the accused filed Criminal Appeals before the Additional District and Sessions Judge/Fast Track Court No.1, Tirunelveli. The Appellate Court, set aside the Judgment of the trial Court and acquitted the accused. Aggrieved by the same, these appeals have been filed by the complainant.

3.The appellant was the principal of the Nasareth Markasiyas College. The accused were working as teaching staff in the said Institution. The occurrence had taken place way back in the year 2002. Most of the staff and also the appellant have retired from service. This Court, therefore, called upon the learned counsel on either side to prevail upon their respective clients to amicably resolve the issue. This Court suggested that a letter of unconditional apology from the accused addressed to the complainant should suffice.

4.The learned counsel appearing for the appellant graciously accepted the suggestion given by this Court. I am happy to note that the appellant accepted the suggestion made by this Court. There upon, the respondents herein have given a letter dated 20.08.2019, expressing their unconditional apology to the appellant/complainant.

5. I am of the view that this issue can be given a quietus. Since the appellant himself has agreed to give a quietus to the issue, these appeals can be disposed of by recording the statement of apology given by the respondents. It is made clear that the Judgment of acquittal is not disturbed. It is further made clear that this will not furnish any cause of action for



initiating further action against any of the respondents. It is seen that some of the respondents are still in service. Their service will not be in any way affected by the outcome of this proceedings.

6. With these observations, these criminal appeals are disposed of accordingly.

Sd/-

Assistant Registrar (RECORD)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Fast Track Court No.1, Tirunelveli.

2.The Judicial Magistrate No.I, Tirunelveli

+1 CC to Mr.R.MANIMARAN, Advocate (SR-82695[F] dated 21/08/2019)

+1 CC to Mr.S.XAVIER RAJINI, Advocate (SR-83065[F] dated 22/08/2019)

+1 cc to Mr.K.Prabhu , Advocate SR.No.82791

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21.08.2019

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