**Bail Slip**

The Appellant/Accused viz., Ayyanar S/o.Sakkiah was released on bail order dated 24.07.2013 made in MP(MD) No.1 of 2013 in Crl RC(MD) No.564 of 2013.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED : 26.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****CRL RC(MD)No.564 of 2013**

Ayyanar

... Petitioner / Appellant /
Accused**Vs.**

The State, rep.by
The Inspector of Police,
Mallanginar Police Station,
Virudhunagr District.

... Respondent / Respondent
/ Complainant

(Crime No.93 of 2008)

Prayer : This Criminal Revision Case is filed under Section 397 r/w.401 of Criminal Procedure Code, to call for the records pertaining to the order dated 18.07.2013 made in Crl.A.No.14 of 2013 on the file of the Additional District Judge, Virudhunagar confirming the judgment dated 26.04.2013 made in C.C No.96 of 2009 on the file of the Judicial Magistrate No.I, Virudhunagar and set aside the same.

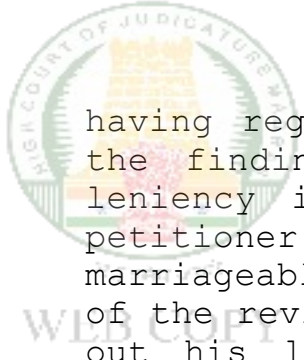
For Petitioner
For Respondent

: Mr.AN.Ramanathan
: Mrs.S.Bharathi,
Government Advocate (crl.side)

ORDER

The revision petitioner was convicted and sentenced vide judgment dated 26.04.2013 in C.C No.96 of 2009 on the file of the learned Judicial Magistrate No.1, Virudhunagar for the offences under Sections 279, 337 and 304 (A) IPC. He was sentenced to undergo one year rigorous imprisonment for the offence under Section 304 (A) IPC and levied with a fine of Rs.5,000/-. He was sentenced to fine of Rs.5,00/- for the offence under Section 337 IPC (6 counts). The same was confirmed by the first appellate court vide judgment dated 18.07.2013. 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 revision petitioner submitted that



having regard to the evidence on record, he would not challenge the finding of guilt and that he would be satisfied if some leniency is shown in the matter of punishment. The revision petitioner is aged about 45 years and he has got a daughter of marriageable age. He further submitted that the driving license of the revision petitioner has been cancelled and that he is eking out his livelihood by doing daily wage work in a mill. The appellant is also ready to compensate the mother of the deceased by paying a sum of Rs.50,000/-.

3. Taking note of the mitigating circumstances and the offer to pay compensation, this Court reduces the sentence of imprisonment from one year simple imprisonment to three months simple imprisonment. The period of incarceration already undergone by the revision petitioner shall not be set off. In other words, the appellant has to surrender following this order and spend a full 90 days in prison. The conviction imposed by the court below is confirmed and the sentence of imprisonment alone is reduced as indicated above. The appellant is also directed to pay a sum of Rs.50,000/- as compensation to credit of C.C No.96 of 2009 on the file of the learned Judicial Magistrate No.I, Virudhunagar within a period of two months from the date of receipt of a copy of this order. The said amount shall be handed over to the mother of the deceased by the court below immediately after it is deposited.

4. This criminal revision case is partly allowed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Additional District Judge,
Virudhunagar.

2. The Judicial Magistrate No.I,
Virudhunagar.

3. The The Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.

4. The Superintendent,
Central Prison,



5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

6.The Superintendent of Police,
Virudhunagar District.

7.The District Collector,
Virudhunagar District.

Copy to: The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.AN.RAMANATHAN, Advocate SR-78197.

CRL RC(MD)No.564 of 2013

CS(08.08.2019) 3P 11C