

**BAIL SLIP**

Petitioner/Petitioner namely P.Selvaraj, S/o. Ponnusamy Nadar was released on bail by this Hon'ble Court made in MP(MD) No.1 of 2011 in CrI Rc(MD)No.107 of 2011 dated 15.02.2011.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2019

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**CrI.R.C.(MD)No.107 of 2011

P.Selvaraj

... Petitioner/Appellant/Sole Accused

Vs.

State rep. by the Inspector of Police,  
Economic Offence Wing,  
Tirunelveli.

(Crime No.1 of 2003)

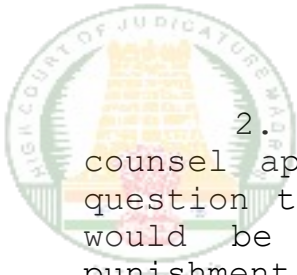
... Respondent/Respondent/Complainant

**Prayer :** This Criminal Revision petition is filed under Section 397 r/w 401 of Cr.P.C., to call for the records of the learned I Additional Sessions Judge, Tirunelveli, in CrI.A.No.324 of 2005 by Judgment dated 26.11.2010, confirming the conviction and modifying the sentence of imprisonment imposed by the learned Chief Judicial Magistrate, Tirunelveli, in C.C.No.39 of 2003, dated 11.11.2005 and set aside the Judgments of the Courts below and acquit the petitioner.

For Petitioner : Mr.S.R.A.Ramachandhran  
For Respondent : Mrs.S.Bharathi,  
Government Advocate  
(CrI. Side).

**ORDER**

The petitioner herein was shown as an accused in C.C.No.39 of 2003 on the file of the learned Chief Judicial Magistrate, Tirunelveli. He was convicted for the offence under Section 420 of I.P.C. and sentenced to three years Rigorous Imprisonment and he was also levied with a fine of Rs.5,000/-, in default, he was sentenced to undergo three months Rigorous Imprisonment, vide Judgment dated 11.11.2005. The same was confirmed by the appellate Court. But the sentence was reduced from three years Rigorous Imprisonment to 18 months Rigorous Imprisonment vide Judgment dated 26.11.2010 in C.A.No.324 of 2005 on the file of the learned I Additional Sessions Judge, Tirunelveli. Challenging the same, this Criminal Revision has been filed.



2. When the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that he would not question the finding of guilt arrived at by the Courts below. He would be satisfied, if leniency is shown in the matter of punishment.

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3. Therefore, conviction imposed by the Courts below is confirmed. The petitioner was in prison for about 18 days. Therefore, the sentence of imprisonment imposed on the petitioner is modified and reduced to the period already undergone by him. The fine imposed on the petitioner is set aside.

4. The petitioner's counsel would submit that the petitioner would not apply for refund of the fine amount. Instead the petitioner undertakes to deposit a sum of Rs.5,00,000/- to the credit of C.C.No.39 of 2003 on the file of the learned Chief Judicial Magistrate, Tirunelveli. The said compensation will be deposited within a period of six months from the date of receipt of a copy of this order. After the petitioner deposits such compensation, the learned trial Magistrate shall take steps to have the sum disbursed to the affected parties in proportion to the claim. In the event of failure on the part of the petitioner to do so, he will have to undergo default sentence of one year Simple Imprisonment.

5. With this modification, the Criminal Revision petition stands partly allowed. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS )

To

1. The I Additional Sessions Judge,  
Tirunelveli.

2. The Chief Judicial Magistrate,  
Tirunelveli.

3. The Inspector of Police,  
Economic Offence Wing,  
Tirunelveli.

4. The Section Officer,  
Criminal Section, (2 COPIES)

<https://hcservices.ecourts.gov.in/hcservices/>  
Madurai Bench of Madras High Court,  
Madurai.



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

+1 CC to MR.S.R.A.RAMA CHANDHRAN, Advocate ( SR-71991[F] dated  
27/06/2019 )

Cr1. R.C.(MD)No.107 of 2011  
25.06.2019

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