



Bail Slip

M.Shaiek Maideen s/o Mohamed Kasim, M/52/2011 was released on bail by the order of this Court dated 25.02.2011 made in MP(MD)No.3 of 2011 in CRL.RC(MD)No.131 of 2011.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRL RC(MD)No.131 of 2011

M.Shaiek Maideen ... Petitioner /Appellant/Accused

Vs .

State, rep.by
The Sub Inspector of Police,
Sellur Police Station,
Cr.No.2193 of 2004,
Madurai City.

... Respondent/Respondent/Complainant

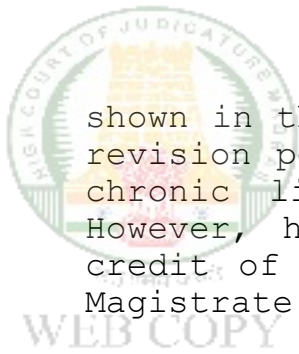
Prayer : This Criminal Revision Case is filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and set aside the order of conviction and sentence passed in C.A No.77 of 2008 dated 10.08.2010 on the file of the I Additional Sessions Judge, Madurai modified the conviction and sentence passed by the learned Judicial Magistrate No.II, Madurai in C.C No.555 of 2005 dated 24.06.2008.

For Petitioner : Mr.V.Thirumal
For Respondent : Mrs.S.Bharathi, Government Advocate
(crl.side)

ORDER

The revision petitioner was found guilty of the offence under Section 420 of IPC and sentenced to undergo six months rigorous imprisonment by the learned Trial Magistrate in C.C No.555 of 2005. Challenging the same, the accused filed an appeal. The first appellate court modified the sentence and reduced the sentence of imprisonment to three months simple imprisonment. Questioning the same, this revision case has been filed.

2.When the matter was taken up for hearing, the learned counsel for the revision petitioner submitted that he would not question the findings of the trial court and that he would be satisfied if some leniency is



shown in the matter of sentence. He would further state that the revision petitioner has now crossed the age of 60 and that he is a chronic liver patient. He is not able to go to employment. However, he came forward to deposit a sum of Rs.10,000/- to the credit of C.C No.555 of 2005 on the file of the learned Judicial Magistrate No.II, Madurai as compensation to P.W.1.

3.The said submission is recorded and this Court finds the said request to be reasonable. Therefore, even while sustaining the conviction imposed on the revision petitioner, this Court reduces and modifies the sentence of imprisonment to the period already undergone by him. This Court directs the revision petitioner to deposit a sum of Rs.10,000/- to the credit of C.C No.555 of 2005 on the file of the learned Judicial Magistrate No.II, Madurai towards compensation to P.W.1 within a period of one month from the date of receipt of a copy of this judgment. Failing which, the judgment passed by the first appellate court would stand automatically restored. The trial court shall disburse the same to P.W.1 immediately after it is deposited.

4.This criminal revision case is partly allowed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.II, Madurai.
- 2.Do Through The Chief Judicial Magistrate, Madurai.
- 3.The I Additional Sessions Judge, Madurai.
- 4.Do Through The Principal Sessions Judge, Madurai.
- 5 The Sub Inspector of Police,
Sellur Police Station, Madurai City.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.