

**Bail Slip**

The Revision Petitioner/Accused viz., Raman, was released on bail vide this Court order dated 09/03/2011 in MP(MD)No.1/2011 in CrI.R.C.(MD)No.177/2011.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.R.C(MD)No.177 of 2011

Raman

... Petitioner/Accused

Vs

State represented by the
Inspector of Police,
District Crime Branch,
Ramanathapuram.
(Crime No.18/2009)

... Respondent/Complainant

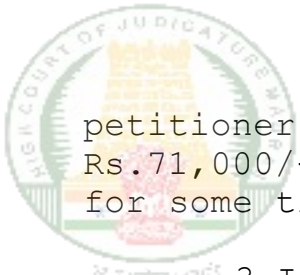
PRAYER: Petition filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records of the learned Principal District and Sessions Judge, Ramanathapuram in CrI.A.No.41 of 2010 by Judgment dated 10.12.2010, confirming the conviction and sentence of imposed by the learned District Munsif-cum-Judicial Magistrate, Rameswaram made in C.C.No.131 of 2009, by the Judgment dated 15.07.2010 and set aside the Judgments of the Courts below and acquit the petitioner.

For Petitioner : Mr.K.Veluchamy

For Respondent : Mr.A.Robinson
Government Advocate (CrI.side)**ORDER**

The petitioner was found guilty of the offence under Sections 409 and 420 of IPC by the Courts below. He was sentenced to two years rigorous imprisonment on each charge. Fine amount was also imposed. Challenging the same, this criminal revision petition has been filed.

2.The petitioner's counsel submitted that he would not question the finding of guilt and that he would be satisfied, if leniency is shown in the matter of punishment. According to the prosecution, the petitioner who was the Sub Post Master, had misappropriated to the tune of Rs.91,898/-. He states that the



petitioner had already repaid the amount to the tune of Rs.71,000/- including interest. The petitioner's counsel pleads for some time to deposit the remaining amount of Rs.31,000/-.

3.I find the said request to be reasonable. This is because, the petitioner was already dismissed from service. He should also be aged about 67 years. Therefore, taking note of the mitigating facts, even while confirming the conviction imposed on the petitioner for the aforesaid offences, this Court modifies the sentence in the following manner:-

(I)The petitioner shall deposit a sum of Rs.31,000/- as compensation to the credit of C.C.No.131 of 2009 on the file of the District Munsif cum Judicial Magistrate, Rameswaram.

(II)The said compensation, after it is deposited, can be withdrawn by the Department concerned through its authorised official.

(III)If the petitioner fails to deposit the said amount of Rs.31,000/- within the stipulated time, the sentence imposed by the First Appellate Court would stand automatically restored.

4.With this modification, this criminal revision petition is partly allowed.

Sd/-

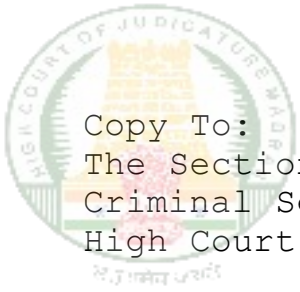
Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

rmi
To

- 1.The Principal District and Sessions Judge, Ramanathapuram.
- 2.The District Munsif-cum-Judicial Magistrate, Rameswaram.
3. The Inspector of Police,
District Crime Branch, Ramanathapuram.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.



Copy To:
The Section Officer,
Criminal Section (Records), Madurai Bench of Madras
High Court, Madurai.

WEB COPY

+1CC TO M/S.K.VELUCHAMY, ADVOCATE, SR.NO.71306

Cr1.R.C (MD) No.177 of 2011
21.06.2019

BUC (05.07.2019) 3P 7C