

**Bail Slip**

Vellington, S/o.Nova @ Eattu was released on Bail in MP(MD)
No.1 of 2011, dated 08.04.2011.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.R.C.(MD)No.249 of 2011

Vellington

... Petitioner/Appellant/Accused

Vs.

The State represented by
The Sub Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.
(Crime No.121 of 2007)

... Respondent/Respondent/Complainant

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for the records from the lower Court and to duly set aside the orders passed by Additional Sessions Judge, Fast Track Court No.I, Tirunelveli, Tirunelveli District, in his C.A.No.52 of 2009, dated 29.01.2011, confirming the conviction of the Judicial Magistrate, Ambasamuthram, Tirunelveli District in his C.C.No.140 of 2007, by allowing this revision.

For Petitioner : Mr.K.Prabhu
For Respondent : Mrs.S.Bharathi
Govt. Advocate (Crl. Side)

O R D E R

The petitioner was found guilty and convicted and sentenced in C.C.No.140 of 2007, on the file of the learned Judicial Magistrate, Ambasamuthram. The particulars of conviction and sentence are as under:-

Accused	Penal Provisions	Punishment
Sole accused	323 of I.P.C.	To undergo imprisonment for 3 months R.I.
	506(ii) of I.P.C.	To undergo imprisonment for 6 months R.I.
	Section 4 of TNPWH Act, 2002	To undergo imprisonment for 2 years R.I. with fine of Rs.10,000/-. In default, to undergo 3 months imprisonment



Questioning the same, the petitioner filed C.A.No.52 of 2009, on the file of the learned Additional Sessions Judge, Fast Track Court No.I, Tirunelveli. The Appellate Court dismissed the appeal and confirmed the judgment passed by the Trial Court as such. Challenging the same, this criminal revision case has been filed.

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2. When the matter was taken up for hearing, the learned counsel appearing for the revision petitioner submitted that the victim suffered only a hit on her leg with a stick and that she did not suffer any serious injury. The petitioner was in custody for 63 days. He had already paid the fine of Rs.10,000/-. He had not come under any adverse notice after the occurrence in question.

3. Taking note of all these aspects, this Court even while sustaining the conviction imposed on the petitioner and also the sentence and levy of fine, reduces the period of imprisonment to what was already undergone by him. With this modification in the matter of sentence of imprisonment, this criminal revision case is partly allowed.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar (CS)

To:

1. The Additional Sessions Judge,
Fast Track Court No.I, Tirunelveli.

2. The Judicial Magistrate, Ambasamuthram.

3. The Sub Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.

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

+1 CC to Mr.K.PRABHU, Advocate SR-73069.

Cr1.R.C. (MD) No.249 of 2011
03.07.2019

CS: 17/07/2019 2P 6C