



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.R.C. (MD) No.284 of 2011

Sakthivelu

... Petitioner

Vs.

The State rep. by,
The Sub Inspector of Police,
Vadagadu Police Station.
(Crime No.155 of 2006)

... Respondent

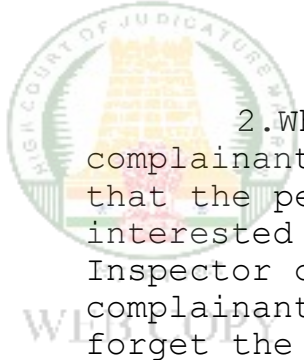
Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for the records relating to the order dated 23.04.2010 passed in C.C.No.57 of 2007, on the file of the learned Judicial Magistrate, Alangudi, confirmed by the order dated 24.02.2011 in Criminal Appeal No.83 of 2010, on the file of the learned Additional District and Sessions Judge, (Fast Track Court), Pudukottai, set aside the same and allow this criminal revision case.

For Petitioner : Mr.J.Anandkumar

For Respondent : Mrs.S.Bharathi
Govt. Advocate (Crl. Side)

O R D E R

The petitioner/Sakthivelu was found guilty of the offence under Section 326 of I.P.C. and sentenced to undergo one year rigorous imprisonment and levied with fine of Rs.1,000/- by the learned Judicial Magistrate, Alangudi in S.C.No.57 of 2007. The petitioner herein filed C.A.No.83 of 2010 before the learned Additional District and Sessions Judge, Pudukkottai. The learned Appellate Court by judgment dated 24.02.2011 in C.A.No.83 of 2010, while confirming the conviction, modified the sentence from one year rigorous imprisonment to eight months rigorous imprisonment. ~~Questioning the same~~, this criminal revision case has been filed.



2. When the matter was taken up for hearing, the defacto complainant/Palanivel appeared in person before me. He submitted that the petitioner/Sakthivelu is his own brother and that he is not interested in sending him to prison. Mr. Gurusamy, Special Sub Inspector of Police, Vadagadu Police Station, identifies the defacto complainant/Palanivel. Since the injured person himself willing to forget the past, I am while confirming the conviction imposed on the petitioner, set aside the sentence imposed on the petitioner in toto. With this modification, this criminal revision case is partly allowed.

Sd/-

Assistant Registrar (CS-III)

/ True Copy /

Sub Assistant Registrar (CS-)

Ias

To:

1. The Additional District and Sessions Judge,
Fast Track Court, Pudukottai.
2. The Judicial Magistrate, Alangudi.
3. The Sub Inspector of Police,
Vadagadu Police Station,
Pudukkottai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s. J. ANANDKUMAR, Advocate
(SR-72530[F] dated 01/07/2019)

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ES/19.07.2019/2P/6C