

**Bail Slip**

The Petitioner/Accused namely R.Ganesan S/o.Raman was directed to be released on bail as per order of this Court dated 23.06.2011, in MP(MD).No.2/2011 in Crl Rc(MD).No.446/2011.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED : 21.06.2019****CORAM:****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****CRL RC(MD)No.446 of 2011**

Ganesan

... Petitioner /Appellant/Accused

Vs.

State through the Sub Inspector of Police,

All Women Police Station,

Nilakkottai.

... Respondent/Respondent/Complainant

(in crime No.13 of 2005)

Prayer : This Criminal Revision Case is filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records of the learned Fast Track Judge, Dindigul in Crl.A.No.28 of 2009 by the judgment dated 13.11.2009 confirming the conviction and sentence recorded by the learned Judicial Magistrate, Nilakkottai in C.C No.14 of 2006 by judgment dated 06.07.2009 and set aside the judgment of conviction of courts below and acquit the petitioner.

For Petitioner : Mr.S.Alagarsamy

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

The revision petitioner was found guilty of the offence under Section 417 of IPC and sentenced to undergo six months rigorous imprisonment and he was also levied with a fine of Rs.1,000/-. Aggrieved by the judgment of the court below, the accused filed Crl.A No.28 of 2009 before the Fast Track Court, Dindigul. The first appellate court confirmed the conviction and sentence imposed on the revision petitioner herein and dismissed the appeal filed by him. Challenging the same, this criminal appeal has been filed.

2.When the matter was taken up for hearing, the learned counsel appearing for the revision petitioner submitted that he would not question the finding of guilt and that he would be satisfied some leniency is shown in the matter of punishment. The revision petitioner's counsel states that the defacto complainant in this case got married and is having two children



and that the petitioner also got married and is having two children.

3. I am of the view that sending the revision petitioner to prison at this point of time will cause great hardship to the petitioner. Therefore, even while sustaining the conviction and fine imposed on the revision petitioner, this Court modifies and reduces the sentence of imprisonment to the period already undergone by him.

4. This criminal revision case is partly allowed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate, Nilakkottai.
2. The Chief Judicial Magistrate, Dindigul.
3. The Judge, Fast Track Court, Dindigul.
4. The Sub Inspector of Police,
All Women Police Station, Nilakkottai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
6. The Superintendent of Police,
Dindigul District.
7. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to Mr.S.ALAGAR SAMY, Advocate (SR-71192[F] dated 25/06/2019)

CRL RC(MD) No. 446 of 2011
21.06.2019

Skm