

**BAIL SLIP**

The Petitioner/Accused was directed to be released on Bail made in CrI.MP(MD)No.2 of 2011 in CrI RC(MD)No.473 of 2011 dated 18.07.2011 on the file of the Madurai Bench of Madras High Court.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 27.06.2019****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****CrI.R.C. (MD)No.473 of 2011**

Kulandaivelu

... Petitioner

Vs.

The State Rep. by
The Sub Inspector of Police,
Nagudi Police Station,
Pudukkottai District.

... Respondent

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for the records and set aside judgment passed in C.A.No.86 of 2010, dated 31.03.2011, on the file of the learned Additional District and Sessions Judge, Fast Track Court, Pudukkottai, confirming the judgment passed in C.C.No.331 of 2005, dated 17.05.2010, on the file of the learned Judicial Magistrate, Aranthangi and acquit the revision petitioner.

For Petitioner : Mr.K.Balasundharam

For Respondent : Mrs.S.Bharathi

Government Advocate (CrI. Side)

O R D E R

The petitioner was tried for the offence under Sections 341, 326, 427 and 506(ii) of I.P.C. He was acquitted for the offence under Sections 427 and 506(ii) of I.P.C. He was found guilty of the offence under Sections 341 and 326 of I.P.C. and sentenced to undergo one year rigorous imprisonment and levied with fine of Rs.250/- and Rs.3,000/- respectively. Questioning the same, the petitioner filed C.A.No.86 of 2010 before the Additional District and Sessions Court, Fast Track Court, Pudukkottai. By judgment dated 31.03.2011, the Appellate Court dismissed the criminal appeal and confirmed the judgment passed by the learned Trial Magistrate. Challenging the same, this criminal revision case has been filed.

2.After arguing the case at length, the learned counsel appearing for the petitioner on instructions from the petitioner who is present in person before me submitted that he would not press the contentions regarding the petitioner's guilt and he would only plead for modification of the sentence. Therefore, this Court sustains



the conviction imposed on the petitioner for the aforesaid offence. Coming to the question of sentence, It is seen that the petitioner is now aged about 62 years. He was in prison for about four days. Therefore, he is willing to deposit a sum of Rs.10,000/- as compensation to the credit of C.C.No.331 of 2005, on the file of the learned learned Judicial Magistrate, Aranthangi, within a period four weeks from the date of receipt of a copy of this order. Upon such deposit, the learned Trial Magistrate shall disburse the same to P.W.1/Kumar. The sentence of imprisonment imposed on the petitioner is set aside and the criminal revision case is partly allowed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Additional District and Sessions Judge,
Fast Track Court, Pudukkottai.
2. The Principal Sessions Judge,
Pudukottai
3. The chief Judicial Magistrate,
Pudukottai
4. The Judicial Magistrate, Aranthangi.
5. The Sub Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
6. The additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

Copy to: The Section Officer,
Criminal Section, (2 Copies),
Madurai Bench of Madras High court, Madurai

+1 CC to Mr.K.BAALASUNDHARAM, Advocate (SR-71983[F] dated
27/06/2019)

Cr1.R.C. (MD) No.473 of 2011
27.06.2019