



Bail Slip

The Appellant/Accused namely Balakrishnan S/o.Mohan was released on bail by this Hon'ble Court made in MP(MD)No.1/2011 in Crl.R.C (MD)No.626/2011 dated 29.07.2011.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANCrl.R.C.(MD)No.626 of 2011

Balakrishnan

.. Revision petitioner/
Appellant/Accused(Single)

Vs.

The State represented by,
The Sub-Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli.
(Crime No.673 of 2006)

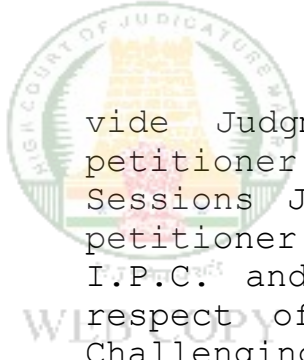
.. Respondent/Respondent/
Complainant

Prayer : This Criminal Revision petition is filed under Section 397 r/w 401 of Cr.P.C., to call for the entire records pertaining to the Judgment delivered by the learned Judicial Magistrate No.IV, Tirunelveli, Tirunelveli District in C.C.No.206 of 2006 vide his Judgment dated 03.09.2009 which has been subsequently partly allowed by the learned I Additional Sessions Judge, Tirunelveli, Tirunelveli District in C.A.No.70 of 2009 vide his Judgment dated 19.07.2011 and set aside the same and consequently acquit the petitioner honourably.

For Petitioner : Mr.R.Anand

For Respondent : Mr.A.Robinson,
Government Advocate
(Crl. Side).**ORDER**

The petitioner was guilty of the offence under Sections 452, 323 and 354 of I.P.C. by the learned Judicial Magistrate No.4, Tirunelveli, in C.C.No.206 of 2006. He was convicted and sentenced to undergo 2 years Rigorous Imprisonment and he was levied with a fine of Rs.2,000/- for the offence under Section 452 of I.P.C. and he was levied with a fine of Rs.500/- for the offence under Section 323 of I.P.C. and he was levied with a fine of Rs.750/- for the offence under Section 354 of I.P.C.



vide Judgment dated 03.09.2009. Questioning the same, the petitioner filed an appeal before the learned I Additional Sessions Judge, Tirunelveli. The appellate Court acquitted the petitioner only in respect of the offence under Section 354 of I.P.C. and confirmed the sentence imposed on the petitioner in respect of the offence under Sections 452 and 323 of I.P.C. Challenging the same, the Criminal Revision has been filed.

2. When the matter was taken up for hearing, the petitioner's counsel submitted that he would not question the finding of guilt and he would be satisfied, if leniency is shown in the matter of punishment.

3. It is seen that the petitioner as well as the defacto complainant belonged to same street. The occurrence had taken place more than 10 years ago. The petitioner had been in prison for about two weeks. The petitioner has not come under the adverse notice thereafter.

4. Taking into account all these mitigating aspects, this Court even while sustaining the conviction imposed on the petitioner, modifies and reduces the sentence of imprisonment imposed on the petitioner to the period already undergone. In all other respects, the Judgments passed by the Courts below stand confirmed. The Criminal Revision stands partly allowed. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate No.IV, Tirunelveli,
Tirunelveli District.
2. The I Additional Sessions Judge,
Tirunelveli, Tirunelveli District.
3. The Sub-Inspector of Police,
Tirunelveli Town Police Station, Tirunelveli.
4. The Superintendent, Central Prison, Palayamkottai



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

6.The Section Officer, Criminal Section, (Records)-2 copies
Madurai Bench of Madras High Court, Madurai.

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+1 CC to M/s.R.ANAND, Advocate (SR-71952[F] dated 27/06/2019)

pmu

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25.06.2019

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