

**Bail Slip**

The Revision Petitioners/Accused 1 to 4 viz, Coodalingam S/O. Karupppiah, Oyyappan S/o.Dhadiappa Konar, Muthiah S/O. Coodalingam, Oyyammal W/O.Coodalingam released on bail dated 05/08/2011 passed in MP(MD)2 of 2011 in Cr1.Rc. (MD)No.662 of 2011 on the file of this Court.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.R.C. (MD)No.662 of 2011

1.Coodalingam
2.Oyyappan
3.Muthiah
4.Oyyammal

... Petitioners/Accused 1 to 4

Vs.

State through
The Inspector of Police,
Amathur Police Station,
Virudhunagar Talluk and District.
(Crime No.231 of 2001)

... Respondent/Complainant

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for the records in C.A.No.7 of 2011, dated 21.07.2011, by the learned Additional District Judge, Fast Track Court, Virudhunagar, modifying the conviction passed in C.C.No.154 of 2002, dated 09.02.2011 by learned Judicial Magistrate No.2, Virudhunagar, revise the same.

For Petitioners : Mr.N.Mohideen Basha

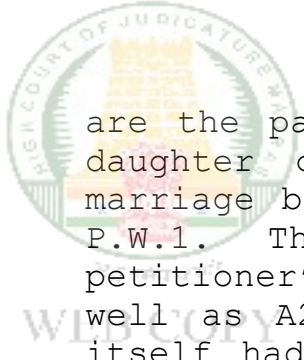
For Respondent : Mr.A.Robinson

Government Advocate (Cr1. Side)

O R D E R

The petitioners were found guilty of the offence with which they were charged in C.C.No.154 of 2002 vide judgment dated 09.02.2011. The conviction imposed by the Trial Court was confirmed in C.A.No.7 of 2011 on the file of learned Additional District Judge, Fast Track Court, Virudhunagar vide judgment dated 21.07.2011 but there is modification in the matter of sentence. Challenging the same, this criminal revision case has been filed.

2.When the matter was taken up for hearing, the learned counsel appearing for the revision petitioner submitted that while he would not question the finding of guilt, he would pray for modification in the matter of sentence. He pointed that A1 and A4



are the parents of A3. A2 is the younger brother of A4. The daughter of A1 and A4 had eloped with Sankarasubbu and the marriage between Mariyammal and Sankarasubbu was presided over by P.W.1. This appears to be the motive for the occurrence. The petitioner's counsel submitted that A2 has passed away. A3 as well as A2 had spent about 18 days in prison. The occurrence itself had taken place 18 years ago. Therefore, taking note of these aspects and the anguish that must have been suffered by the parents on account of elopement of their daughter, this Court is of the view that in the interest of justice will be served by reducing the period of sentence imposed on the third petitioner to the period already undergone by him. The proceedings against the second petitioner had already abated. The first and fourth petitioner suffered the sentence of imprisonment till rising of the Court. Therefore, with this modification in the matter of sentence, this criminal revision case is partly allowed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To:

- 1.The Principal District Judge,
Fast Track Court, Virudhunagar.
- 2.The Additional District Judge,
Fast Track Court, Virudhunagar.
- 3.The Judicial Magistrate No.II, Virudhunagar.
- 4.The Chief Judicial Magistrate,
Virudhunagar at Srivilliputhur.
- 5.The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,



COPY TO:

The Section Officer,
Criminal Records Section,
Madurai Bench of Madras High Court, Madurai.

+1CC TO M/S. N.MOHIDEEN BASHA, ADVOCATE, SR.NO.71703

Crl.R.C. (MD) No.662 of 2011
26.06.2019

BUC(11.07.2019) 3P 10C