

**BAIL SLIP**

P.Kandasamy Naicker, S/o. Perumal Naicker was released on bail by the order of this Court, dated 17/08/2011 made in MP(MD)No.1 of 2011 in Cr1 RC(MD)No.690 of 2011.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 25.06.2019****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****Cr1.R.C. (MD)No.690 of 2011**

P.Kandasamy Naickar

... Petitioner

Vs.

The State rep by
The Sub Inspector of Police,
Kayathar Police Station,
Thoothukudi District.

... Respondent

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to set aside the order passed in C.A.No.68 of 2010, on the file of the learned Additional Sessions Judge, Fast Track Court No.II Tuticorin, dated 24.05.2011 modifying the order passed in C.C.No. 203 of 2008, dated 12.08.2010 on the file of the learned Judicial Magistrate No.II, Kovilpatti.

For Petitioner : Mr.J.Pooventhera Rajan

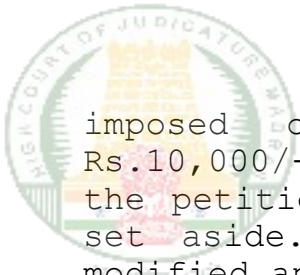
For Respondent : Mr.A.Robinson

Government Advocate (Cr1. Side)

O R D E R

The petitioner along with his son was prosecuted in C.C.No.203 of 2008, on the file of the learned Judicial Magistrate No.II, Kovilpatti for the offences under Sections 294(b) and 323 of I.P.C. and under Section 4 of Tamilnadu Prohibition of Woman Harassment Act. The petitioner's son was found guilty and dealt with under the probation of Offenders Act. The petitioner was found guilty under Section 4 of Tamilnadu Prohibition of Woman Harassment Act. He was sentenced to three months simple imprisonment and levied with fine of Rs.10,000/-. On appeal, the Appellate Court set aside the levy of fine and reduced the imprisonment from three months to one month simple imprisonment. 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 petitioner submitted that he would not contest the finding of guilt and that he would be satisfied if leniency is shown in the matter of punishment. The petitioner is now aged about 62 years. Therefore, the sentence of imprisonment



imposed on him is set aside. The levy of fine of Rs.10,000/- is confirmed. Conviction as well as the fine imposed on the petitioner are sustained while the sentence of imprisonment is set aside. The judgments of the Courts below are accordingly modified and criminal revision case is partly allowed.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To:

- 1.The Judicial Magistrate No.II, Kovilpatti.
- 2.-Do thro- The Chief Judicial Magistrate, Tuticorin.
- 3.The Additional Sessions Judge, FTC No.II, Tuticorin.
- 4.-Do thro- The Principal Sessions Judge, Tuticorin.
- 5.The Sub Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

Cr1.R.C. (MD) No.690 of 2011
25.06.2019

KK/SAR/05.09.2019/2P-9C/