

**Bail Slip**

The Petitioner/Accused namely sundararaj S/o.Elayaperumal was released on bail by this Hon'ble Court made in MP(MD). No.1/2011 in CRL RC(MD).NO.719/2011 dated 26.08.2011.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 27.06.2019****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****Cr1.R.C.(MD)No.719 of 2011**

Sundararaj

... Petitioner/Appellant/
Accused

Vs.

The State Rep. by
The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.

... Respondent/Respondent/
Complainant

(Crime No.2 of 2010)

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for the records in C.C.No.94 of 2010 on the file of the Judicial Magistrate No.III, Thanjavur on 17.02.2011 which was confirmed by the Appellate Court in C.A.No.27 of 2011 (on the file of the I Additional Sessions Judge, (PCR), Thanjavur set aside the conviction and sentence dated 29.07.2011, against the petitioner.

For Petitioner : Mr.F.Deepak

For Respondent : Mrs.S.Bharathi
Government Advocate (Cr1. Side)**O R D E R**

The petitioner was found guilty of the offence under Sections 294(b), 324 and 326 of I.P.C. He was sentenced to pay a fine of Rs.250/- for the offence under Section 294(b) of I.P.C. and for the offence under Section 326 of I.P.C, he was sentenced to pay a fine of Rs.500/- and for the offence under Section 326 of I.P.C., he was sentenced to undergo 1 year rigorous imprisonment and levied with fine of Rs.1,000/-. Thus totally a sum of Rs.1,750/- has been directed to be paid as fine, apart from the imprisonment of one year rigorous imprisonment imposed on him. This



judgment dated 17.02.2011 made in C.C.No.94 of 2010 on the file of the learned Judicial Magistrate No.III, Thanjavur. The same was confirmed as such by the Lower Appellate Court in C.A.No.27 of 2011. Challenging the same, this criminal revision case has been filed.

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2. When the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner has already remitted the fine amount of Rs.1,750/-. He submitted that there was fight among the petitioner and P.W.1 and P.W.2., in the matter of purchase of bricks. He submitted that he would not question the finding of guilt or the conviction imposed on him. He would be satisfied if leniency is to be shown in the matter of punishment. The petitioner is a coolie. The petitioner has not come under adverse notice either before or after.

3. I am of the view that the sentence of imprisonment imposed on the petitioner can be set aside. The petitioner has come forward to pay a sum of Rs.5,000/- as compensation. The petitioner shall deposit the compensation amount of Rs.5,000/- to the credit of C.C.No.84 of 2010, on the file of the learned Judicial Magistrate No.III, Thanjavur. The learned Trial Magistrate/Legal Service Authority shall take steps to have the said compensation amount disbursed to P.W.10 immediately thereafter. The petitioner is given two months time to deposit the said compensation amount. If the petitioner fails to do so, he will have to suffer three months simple imprisonment in default. 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)

To:

1. The I Additional Sessions Judge, (PCR), Thanjavur.
2. The Judicial Magistrate No.III, Thanjavur.

<https://hcservicescourtsinspireservices/> of Police,
Ayyampettai Police Station,
Thanjavur District.



4.The Principal District and Sessions Judge,
Thanjavur.

5.The Superintendent,
Central Prison, Trichy.

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

+1 CC to Mr.F.DEEPAK, Advocate (SR-71749[F] dated 27/06/2019)

Cr1.R.C. (MD) No.719 of 2011
27.06.2019

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