

**Bail Slip**

Prabhu, S/o.Chelladurai, male aged about 28 years is released on bail vide the order of this court dated.29.09.2011 made in MP(MD)No.1/2011 in CrI.RC(MD)No.837/2011.

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.837 of 2011

Prabhu

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Samayapuram Police Station,
Trichy District.
(Crime No.373 of 2007)

... Respondent

PRAYER: Petition filed under Section 397 r/w 401 of Criminal Procedure Code, against the Judgment of the learned Additional District and Sessions Judge (Fast Track Court No.-1), Thiruchirappalli passed in C.A.No.53 of 2011, dated 28.07.2011 confirming the conviction and sentence of the petitioner to pay a fine of Rs.500/- in default to undergo one weeks simple imprisonment for the offence under Section 294(b) of IPC and to undergo six months rigorous imprisonment and also to pay a fine of Rs.1,500/-, in default to undergo one month simple imprisonment for the offence under Section 324 of IPC imposed by the learned Judicial Magistrate No.III, Thiruchirappali in C.C.No.256 of 2008, dated 13.05.2011.

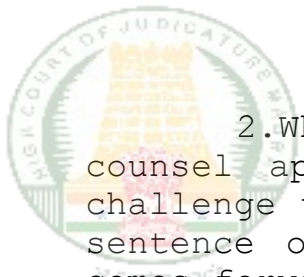
For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.A.Robinson

Government Advocate (CrI.side)

ORDER

The petitioner suffered conviction for the offences under Sections 294 (b) and 324 of IPC. He was sentenced to six months simple imprisonment for the offence under Section 324 of IPC and for the offence under Section 294(b), he was levied with fine of Rs.500/-. The fine amount has since been remitted. Questioning the concurrent Judgments of the Courts below, this criminal



2. When the matter was taken up for hearing, the learned counsel appearing for the petitioner stated that he would not challenge the finding of guilt and that, he would be satisfied, if sentence of imprisonment is set aside. Instead, the petitioner comes forward to deposit a sum of Rs.5,000/- as compensation.

3. I am of the view that the submission made by the petitioner's counsel deserves to be accepted. Therefore, even while sustaining the conviction imposed on the petitioner by the Courts below, this Court set aside the punishment imposed on him. The petitioner is directed to pay compensation of Rs.5000/- by depositing the same to the credit of C.C.No.256 of 2008 on the file of the Judicial Magistrate No.III, Tiruchirappalli, within a period of six weeks from the date of receipt of a copy of this order. In the event of failure to do so, he shall undergo simple imprisonment for one month. The learned trial Magistrate/Legal Service Authority shall take steps to disburse the compensation amount to the victim/P.W.1.

4. With this modification in the matter of sentence, this criminal revision case is partly allowed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. THE INSPECTOR OF POLICE, SAMAYAPURAM POLICE STATION, TRICHY DISTRICT.
2. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (FAST TRACK COURT NO.-1), THIRUCHIRAPPALLI.
3. THE JUDICIAL MAGISTRATE NO.III, THIRUCHIRAPPALI.
4. THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
5. THE PRINCIPAL SESSIONS JUDGE, TRICHY.
6. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.T.Leninkumar, Advocate in SR.72315

Cr1.R.C (MD) No. 837 of 2011
27.06.2019