



BAIL SLIP

The Appellant/Sole Accused namely Najima, W/O.Jeyaraj @ Kutty Babu was released on bail by this Hon'ble Court made in MP(MD) No.2/2013 in CRL RC(MD) No.345/2013 dated 17.04.2013.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANCrl.R.C. (MD) No.345 of 2013

Najima

.. Petitioner/Appellant/
Sole Accused

Vs.

State represented by,
The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.
(Crime No.248 of 2006)

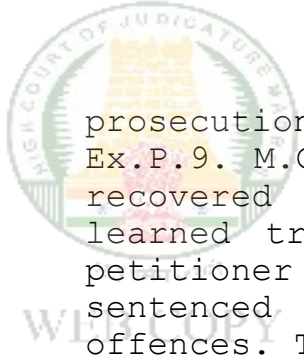
.. Respondent/Respondent/
Complainant

Prayer : This Criminal Revision petition is filed under Section 397 r/w 401 of Cr.P.C., to call for the records and set aside the Judgment dated 28.02.2013 in Crl.A.No.38 of 2012 on the file of the learned Additional District and Sessions Judge, Pudukkottai, Pudukkottai District, confirming the conviction and sentence imposed upon the petitioner in C.C.No.21 of 2007 on the file of the learned District Munsif cum Judicial Magistrate, Keeranur, Pudukkottai District, dated 23.08.2012 and acquit the petitioner.

For Petitioners	: Mr.A.Thiruvadikumar
For Respondent	: Mr.A.Robinson, Government Advocate(Crl.Side).

ORDER

The petitioner had trespassed into the house of P.W.1 Subramani on 25.08.2006 at about 9.15 a.m. and committed theft of 66 grams of gold jewellery and cash of Rs.500/-. In this regard, crime No.248 of 2006 was registered on the file of the Inspector of Police, Keeranur police station, Pudukkottai District. The involvement of the petitioner came to light later. Final report came to be filed before the learned District Munsif cum Judicial Magistrate, Keeranur and cognizance of the offence under Sections 454 and 380 of I.P.C. was taken in C.C.No.21 of 2007. The petitioner's guilt was proved beyond reasonable doubt by the



prosecution by examining the eight witnesses and marked Ex.P.1 to Ex.P.9. M.O.1 to M.O.7 were marked. The entire stolen jewellery was recovered following the confession made by the petitioner. The learned trial Magistrate by Judgment dated 23.08.2012 found the petitioner guilty of the offence with which she was charged and sentenced her to undergo 1 year Rigorous Imprisonment for each offences. The same was confirmed by the appellate Court in C.A.No.38 of 2012 on the file of the learned Additional District and Sessions Judge, Pudukkottai, by Judgment dated 28.02.2013. The same are under challenge in this Criminal Revision.

2. When the matter was taken up for hearing, the petitioner's counsel submitted that having regard to the evidence available on record, he would not be in a position to challenge the finding of guilt. But he pleaded that leniency may be shown in the matter of punishment. He further pointed out that the petitioner is a lady and that she has not come under the adverse notice after the occurrence in question. He frankly submitted that she had an earlier case. The jewels in question had been recovered in full. That apart the petitioner had spent for about 22 days in prison.

3. Therefore, having regard to all these aspects, particularly, taking note of the submission made by the petitioner's counsel that the petitioner did not come under the adverse notice after this case, even while sustaining the conviction imposed on the petitioner, this Court reduces the sentence of imprisonment from 1 year Rigorous Imprisonment for each offences to the period already undergone by the petitioner.

4. The Judgments of the Courts below are modified. The Criminal Revision stands partly allowed. No costs.

Sd/-

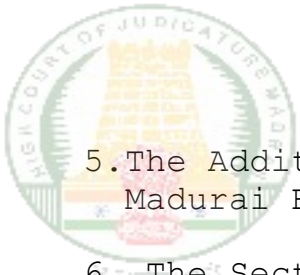
Assistant Registrar

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Sub Assistant Registrar

To

1. The Additional District and Sessions Judge,
Pudukkottai, Pudukkottai District.
2. The District Munsif cum Judicial Magistrate,
Keeranur, Pudukkottai District.
3. The Chief Judicial Magistrate,
Pudukkottai
4. The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.



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

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

+1 CC to M/s.A.THIRUVADI KUMAR, Advocate (SR-72872[F] dated
02/07/2019)

Crl. R.C. (MD) No.345 of 2013
01.07.2019

pmu
JM/05.09.2019/3P/9C