

**BAIL SLIP**

D.Ramachandran, S/o.Durairaj, Appellant/Accused was released on bail of this Court Order dated 20.12.2013 made in MP(MD)No.1/2013 in CrI.R.C.(MD)No.882 of 2013.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.R.C(MD)No.882 of 2013

D.Ramachandran ... Petitioner/Appellant/Accused No.1

Vs

State through the
Inspector of Police,
Contonment Police Station (L&O),
Trichy.

In Crime No.91 of 2012. ... Respondent/Respondent/Complainant

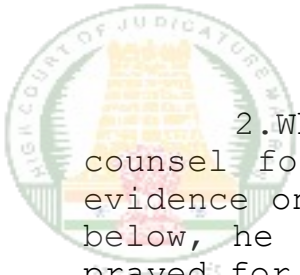
PRAYER: Petition filed under Section 397 r/w 401 of Criminal Procedure Code, to allow this revision petition and set aside the Judgment of Conviction, dated 20.09.2013 in C.A.No.35 of 2013 passed by the Sessions Judge, Trichy, by confirming the Judgment in C.C.No.120 of 2012 on the file of the Judicial Magistrate No.II, Trichy, dated 19.08.2013.

For Petitioner : Mr.B.Jameel Arasu

For Respondent : Mr.A.Robinson
Government Advocate (CrI. Side)

ORDER

The petitioner along with one Anand was prosecuted for the offences under Section 324 of IPC in C.C.No.120 of 2012 on the file of the learned Judicial Magistrate No.II, Tiruchirappalli. By judgment, dated 19.08.2013, the learned trial Magistrate while acquitting the other accused namely Anand, convicted the petitioner and sentenced him to under go simple imprisonment for 12 months and also imposed fine of Rs.2,000/-. This judgment was confirmed as such by the Appellate Court in CrI.A.(MD).No.35 of 2013, dated 20.09.2013. Challenging the same, this Revision Case has been filed.



2. When the matter was taken up for hearing today, the learned counsel for the petitioner would submit that having regard to the evidence on record and the concurrent finding rendered by the Courts below, he is not in a position to contest the finding of guilt and prayed for leniency in the matter of punishment.

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3. Taking into consideration all the circumstances obtaining in this case and submissions made by the learned counsel for the petitioner, the sentence of imprisonment is set aside. The petitioner had already remitted a fine of Rs.2,000/-. The same is enhanced to Rs.7,000/-. The petitioner shall pay the balance fine amount of Rs.5,000/- within a period of six weeks from the date of receipt of a copy of this order. Upon deposit of the said enhanced fine amount, the trial Magistrate shall disburse the same to the victim, namely P.W.1 Mohan. In other words, P.W.1 should paid compensation of Rs.5,000/-. If the petitioner, fails to do so, he shall undergo simple imprisonment for a period of three months. With this modification of sentence, this criminal Revision Case is partly allowed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar (CS-)

To

1. The Principal Sessions Judge, Tiruchirappalli.
2. The Judicial Magistrate No.II, Tiruchirappalli.
3. -do-thro- The Chief Judicial Magistrate, Trichy.
4. The Inspector of Police, Contonment Police Station (L&O), Trichy.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
6. The Section Officer/Record Keeper,
Madurai Bench of Madras High Court, Madurai. (2 Copies)

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-72950[F] dated 03/07/2019)

Cr1.R.C (MD) No.882 of 2013
02.07.2019

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