

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM:

THE HONOURABLE Mr.JUSTICE **P.N.PRAKASH**

Crl.O.P.No.13199 of 2020
in Crl.A.No.SR6200 of 2020

State represented by
The Inspector of Police,
Kottucherry Police Station,
Karaikkal, through
The Public Prosecutor for
Pudhucherry.

.. Petitioner/Complainant

Suresh @ Palanivelu,
S/o.Balusubramaniam,
No.49, Muthusamy Pillai Street,
Anna Nagar, Kottucherry,
Karaikkal.

Vs.

.. Respondent/Accused

Criminal Original Petition filed under Section 378 (4) Cr.P.C. to
grant special leave to prosecute the above appeal against the judgment and
order dated 09.08.2019 passed in S.C.No.4 of 2016 on the file of the
District and Sessions Court, Karaikkal.

For Petitioner : Mr.Bharatha Chakravarthy
Public Prosecutor
(Pudhucherry)

ORDER

This case is taken up through video conferencing.

2. For the sake of convenience, the petitioner and the respondent will be referred to as the complainant and the accused, respectively.

3. The complainant initiated a prosecution in S.C.No.4 of 2016 before the District and Sessions Court, Karaikkal, for the offences under Sections 363, 420 and 376 IPC, against the accused. The Magistrate, by judgment and order dated 09.08.2019, acquitted the accused of the said charges. Aggrieved by the judgment and order of acquittal, the complainant is before this Court.

4. On reading the judgment and order of the trial Court, there is *prima facie* material to show that the trial Court had fallen in error in acquitting the accused by mis-appreciation of the evidence on record. Hence, leave granted.

The Registry is directed to number the appeal, if the same is

otherwise in order.

27.08.2020

nsd

To

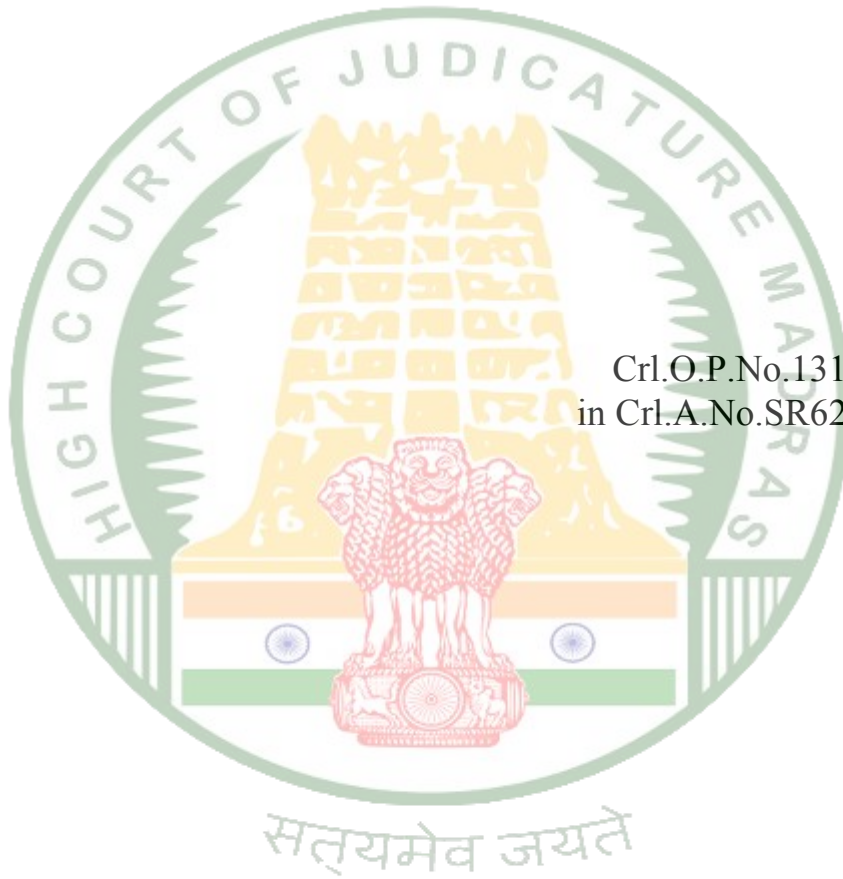
1. The District and Sessions Judge,
Karaikkal.
2. The Public Prosecutor,
Pudhucherry.



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P.N.PRAKASH, J.

nsd



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