



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2020

CORAM:

**THE HONOURABLE Mr.JUSTICE M.DHANDAPANI**

Crl.A(MD)No.208 of 2015  
and  
M.P(MD)No.1 of 2015

Senthil Kumar

... Appellant/Accused

**Vs.**

State rep. by  
The Inspector of Police,  
Tiruchendur Police Station,  
Thoothukudi District

... Respondent/Complainant

**PRAYER:** Appeal filed under Section 389(1) of Criminal Procedure Code, against the sentence and conviction passed by the learned Sessions Judge, Mahalir Neethimandram (Fast Track Mahila Court), Thoothukudi in S.C.No.99 of 2013, dated 05.02.2015.

For Appellant : Mr.P.Balakrishnan for  
Mr.S.R.Anbarasu

For Respondent : Ms.S.Bharathi  
Govt.Advocate (crl.side)

**JUDGMENT**

When the appeal is taken up for hearing, Mr.P.Balakrishnan, the learned counsel appearing for the appellant would submit that the trial Court found the appellant / accused guilty and sentenced him to undergo Rigorous Imprisonment for 7 years and to pay a fine of Rs.3000/-, in default, to undergo Simple Imprisonment for 6 months, for the offence under Section 376(1) IPC. He would further submit that the appellant / accused is in jail and he already undergone the sentence of imprisonment for more than five years and due to his good conduct, he is going to be released in the next couple of weeks, hence, seeks permission of this Court to withdraw the appeal and he has also made an endorsement to that effect.



2. In the light of the above submission and in view of the endorsement made by the learned counsel appearing for the appellant, this Criminal Appeal stands dismissed as withdrawn. Consequently, the connected miscellaneous petition is also dismissed.

WEB COPY

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

**To**

1. The Sessions Judge,  
Mahalir Neethimandram  
(Fast Track Mahila Court),  
Thoothukudi.
2. The Inspector of Police,  
Tiruchendur Police Station,  
Thoothukudi District
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.
4. The Superintendent,  
Central Prison,  
Palayamkottai, Tirunelveli.
5. The Section Officer,  
Criminal Section,  
Madurai Bench of Madras High Court,  
Madurai. (2 Copies)

MPK

TE : 06/05/2020 : 2P/7C

JUDGMENT MADE IN  
Crl.A(MD)No.208 of 2015  
11.03.2020