

**Bail Slip**

Subramani, S/o.Vaiyapuri, Male, aged about 52 years/2016 was released on bail vide order of this Court dated 11.02.2016 made in Crl.MP(MD)No.1208/2016 in Crl.RC.(MD)No.60 of 2016.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANCrl. R.C. (MD)No.60 of 2016

Subramani

.. Petitioner/Appellant/Accused

Vs.

State rep. By its,
Sub Inspector of Police,
Lalapettai Police Station,
Karur District.
Crime No.219 of 2013.

: Respondent/Respondent/Complainant

Prayer : This Criminal Revision is filed under Sections 397 r/w. 401 of Cr.P.C., to call for the records of the Judgment in Crl.A.No.36 of 2014 on the file of the Mahila Fast Track Court, Karur dated 04.01.2016 modifying the Judgment in C.C.No.175 of 2013 on the file of the Judicial Magistrate No.I, Kulithalai, dated 18.08.2014 and allow this appeal and acquit the accused.

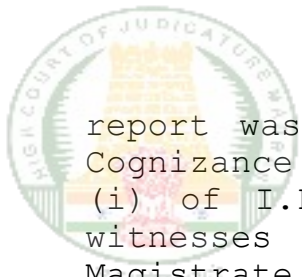
For Petitioner : Mr.S.Muthukrishnan

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

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The case of the prosecution is that on 03.10.2013, the revision petitioner picked up a quarrel with the defacto complainant Tmt.Pattu(P.W.1) and attacked her and caused her injuries. It appears that the defacto complainant had lost two of her teeth. In this regard, Crime No.219 of 2013 was registered on the file of Lalapettai police station. Investigation was taken up and final



report was filed before the Judicial Magistrate No.I, Kulithalai. Cognizance of the offences under Sections 294(b), 323, 326 and 506 (i) of I.P.C. was taken. The prosecution examined as many as 8 witnesses and Ex.P.1 to Ex.P.6 were marked. The learned trial Magistrate vide Judgment dated 18.08.2014 found the accused guilty for the offences under Sections 325 and 323 of I.P.C. and sentenced him to undergo six months Simple Imprisonment and one month Simple Imprisonment respectively. In respect of the other charges, the revision petitioner was acquitted. Challenging the same, the revision petitioner filed C.A.No.36 of 2014 before the Sessions Court, Karur. Vide Judgment dated 04.01.2016, the appellate Court modified the sentence and partly allowed the appeal and acquitted the revision petitioner in respect of the offence under Section 323 of I.P.C. The revision petitioner was found guilty of the offence under Section 325 of I.P.C. and sentenced him to undergo six months Simple Imprisonment. Challenging the same, this criminal revision case came to be filed.

3. The learned counsel appearing for the petitioner states that having regard to the evidence on record, he would not seriously challenge the finding of guilt. He only seeks modification in the matter of sentence alone. The learned counsel appearing for the petitioner states that the petitioner is said to have spent about 29 days in custody.

4. Taking note of the submission made by the learned counsel appearing for the petitioner, even while confirming the conviction imposed on the petitioner, the sentence of imprisonment modified by the appellate Court is reduced to the period already undergone by the revision petitioner.

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

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pmu

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The Sessions Judge, Mahila Fast Track Court,
Karur.
2. The Judicial Magistrate No.I,
Kulithalai.
3. The Chief Judicial Magistrate,
Karur.
4. Sub Inspector of Police,
Lalapettai Police Station,
Karur District.
5. The Superintendent,
Central Prison, Trichy.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2)

Cr1. R.C. (MD) No. 60 of 2016
11.12.2020

MJ(CO)
CS(29.01.2021) 3P 9C