



BAIL SLIP

The Appellant/Accused namely S.Sankar S/o.Sekar was directed to be released on bail as per order of this Court dated 04.04.2017 made in CrI.M.P.4733 & 4734/17 in CrI.R.C.No.535/2017.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

CrI.R.C.No.535 of 2017

S.Sankar ... Petitioner/Accused - 3
Vs.

The State represented by,
The Sub-Inspector of Police,
Mangalampet Police Station, Cuddalore.
Crime No.123 of 2013 ... Respondent/Complainant

PRAYER: This Criminal Revision Case has been filed under Section 397 and 401 of Cr.P.C., to call for the records comprised in C.A.No.2 of 2017 made by the learned III Additional District and Sessions Judge, Cuddalore, in C.C.No.42 of 2015, Judicial Magistrate No.II, Vridhachalam and to set aside the conviction and and sentence dated 22.02.2017.

For Petitioner : Mr.Vimal B.Crimson

For Respondent : Mr.R.Vinoth Raja
(Government Advocate)

O R D E R

The respondent police herein has registered a case in FIR.No.123 of 2013 for the alleged offence under Sections 448, 294(b), 323 & 506(ii) of IPC. Originally there were four accused. After the trial in C.C.No.42 of 2015, the learned Judicial Magistrate NO.II, Vridhachalam, the learned judge has acquitted A1 and A2 and found guilty of A3 & A4 for the offence under Sections 294(b) and 323 of IPC. As far as A3 is concerned, the learned judge has imposed the sentence to undergo imprisonment for three months and one year respectively; as far as A4 is concerned the learned judge has imposed the sentence for three months imprisonment and no fine was imposed on them.



2. Aggrieved against the said order of conviction passed in C.C.No.42 of 2015, the learned Judicial Magistrate No.II, Vridhachalam, the convicted accused viz., A3 and A4 have preferred Criminal Appeal No.2 of 2017, before the learned III Additional District and Sessions Judge, Cuddalore, Vridhachalam, wherein, after the trial, the learned Judge has acquitted A4 and sentenced A3 to undergo simple imprisonment for 15 days, for the offence under Section 323 of IPC and acquitted A3 and A4 for the offence under Section 294(b). Aggrieved against the said conviction and sentence for the offence under Section 323 of IPC, A3 has preferred this Criminal Revision Case.

3. Heard both the learned counsel and perused the materials placed on record.

4. On a perusal of Ex.P3/Accident Register, it is seen that the injuries sustained by PW1 appears to be simple in nature and also stated that the injury is only of 4 x 2 x 1 cm on the left side parietal region and he was discharged on the next day.

5. Taking into consideration the nature of gravity of the injury sustained by PW1, substantive sentence imposed by the learned III Additional District and Sessions Judge, Cuddalore, stands vacated and sum of Rs.1,000/- of fine is imposed and fine amount has to be paid within the period of one week from the date of receipt of copy of this order.

6. With the above modification, this Criminal Revision Case stands allowed to the limited extent that the conviction for the offence under Section 323 of IPC is kept intact, modifying the sentence as stated supra.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The III Additional District and Sessions Judge,
Cuddalore.

2. The Judicial Magistrate No.II,
Vridhachalam.



3.-do- Thro The Chief Judicial Magistrate,
Cuddalore.(for information)

4.The Sub-Inspector of Police,
Mangalampet Police Station,
Cuddalore.

5.The Public Prosecutor,
High Court, Madras.

Cr1.R.C.No.535 of 2017

LN (CO)
PR (15/09/2021)