



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI  
( Criminal Revisional Jurisdiction )

Friday, the Twenty Ninth day of October Two Thousand and Twenty One  
PRESENT

WEB COPY

The Hon`ble Mr.Justice V.BHARATHIDASAN

AND

The Hon`ble Mrs.Justice S.ANANTHI

CRL A(MD) . No.110 of 2019

AND

CRL A(MD) . No.144 of 2019

KARUPPASAMY

... Petitioner/Appellant/Accused No.2  
in CRL A(MD) . No.110 of 2019

ESAKKI PANDI

... Appellant/Accused No.1  
in CRL A(MD) . No.144 of 2019

Vs

THE INSPECTOR OF POLICE,  
PERUMALPURAM POLICE STATION,  
TIRUNELVELI District.  
(CR.NO.393 OF 2010)

... Respondent/Respondent/Complainant  
(in both Cases)

**Prayer in Common :-**

This Criminal Appeal filed u/s 374 of Cr.P.C., praying this court to call for entire records connected to the judgment in S.C.No.397 of 2015 on the file of the III Additional Sessions Judge, Tirunelveli dated 29/06/2018 and set aside the conviction and sentence imposed the Appellants.

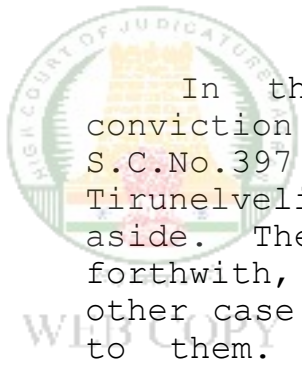
**ORDER: -**

These Criminal Appeals are coming on for orders on this day, upon perusing the Grounds of Appeal and proceedings before the Court of Sessions and upon hearing the arguments of Mr.S. Sivasubramanian, Advocate for the Appellant in CRL A(MD) . No.110 of 2019 and of Mr. V. Karthirvelu Senior Counsel for Mr. K. Prabhu in CRL A(MD) . No.144 of 2019 and of Mr. A. Thrivadikumar, Additional Public Prosecutor for the respondent, in both cases it is ordred as follows:

1. that the Judgment and Conviction and sentence dated 29/6/2018 in S.C.No.397 of 2015 passed by the III Additional Sessions Judge, Tirunelveli, Tirunelveli District, be and hereby is set aside.

2. that the Appellants/Accused Nos.1 and 2 be released from the jail forthwith, unless their detention is required in connection with any other case.

<https://hcservices.ecourts.gov.in/hcservices/> that the fine amount, if any paid by the Appellants/Accused Nos.1 and 2 herein shall be refund to them;



In the result, the Criminal Appeals are allowed. The conviction and sentence imposed on the appellants /A1 and A2, in S.C.No.397 of 2015, by the learned III Additional Sessions Judge, Tirunelveli, Tirunelveli District, dated 29.06.2018, is hereby set aside. The appellants/ A1 and A2 be released from the jail forthwith, unless their detention is required in connection with any other case. The fine amount, if any, paid by them shall be refunded to them. Consequently the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Principal District Judge,  
Tirunelveli.
2. The III Additional Sessions Judge,  
Tirunelveli.
3. The Chief Judicial Magistrate,  
Tirunelveli.
4. The District Collector,  
Tirunelveli.
5. The Director General of Police,  
Mylapore, Chennai.
6. The Superintendent of Police,  
Tirunelveli.
7. The Superintendent of Prison,  
Central Prison, Palayamkottai.
8. The Inspector of Police,  
Perumalpuram Police Station,  
Tirunelveli District
9. The Additional Public,  
Madurai Bench of Madras High Court, Madurai.



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ORDER DATED : 29/10/2021

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ADVANCE ORDER

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CRL A(MD). No.110 of 2019  
and  
CRL A(MD). No.144 of 2019

Allowing the Crl A.(MD).Nos.110 and 144 of 2019 praying this court to entire call for records in S.C. No.397 of 2015 on the file of the III Additional Sessions Judge, Tirunelveli,Tirunelveli District, dated 29/06/2018 and set aside the conviction and sentence imposed against the appellants etc., as stated within.

MGJ/JGB(29.10.2021) 3P 11C