



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2021

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THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.A(MD).No. 341 of 2016 and
Crl.M.P(MD).No. 8816 of 2016

Palanikumar : Appellant / A1

Vs.

Rajammal : Respondent / complainant

PRAYER:- Criminal Appeal filed under Section 374(2) Cr.P.C., against the conviction and Sentence of imprisonment imposed by the learned III Additional District and Sessions Judge (PCR), Madurai in S.C.No. 158 of 2001 dated 19.08.2016.

For Appellant : Mr.M. Laxmi Mahendran

For Respondent : Mr.P. Ganapathi Subramanian

JUDGMENT

This Criminal Appeal is directed against the Judgment passed in S.C.No.158 of 2001, dated 19.08.2016 on the file of the learned III Additional District and Sessions Judge (PCR), Madurai, wherein the first accused was found guilty for the offence under Sections 323 and 325 of IPC and was sentenced to pay a fine of Rs.500/- in default one month simple imprisonment for the offence under Section 323 IPC and to undergo three years rigorous imprisonment and to pay a fine of Rs.2,000/- in default to undergo three months simple imprisonment for the offence under Section 325 IPC, that the second accused was found guilty for the offence under Section 323 (two counts) IPC and was sentenced to pay a fine of Rs.500/- for each count, in default to undergo simple imprisonment for one month each count.

2. Today, when the matter is taken up for hearing, a Joint Compromise memo has been filed. The defacto complainant as well as the first accused along with their Advocates appeared virtually and both the parties would admit that they have entered into compromise and accordingly, subscribed their signatures in the



3.Considering the facts and circumstances and also the fact that the defacto complainant and the accused have settled their disputes and filed a joint compromise memo, this Court is inclined to grant permission to the parties to compound the offence. Hence, the offence under Section 325 of IPC stands compounded as per Section 320 (8) of Cr.P.C and the same shall have the effect of an acquittal of the accused.

4.Accordingly, the Criminal Appeal is allowed and the impugned judgment of conviction and sentence passed against the appellant in S.C.No.158 of 2001, dated 19.08.2016 on the file of the learned III Additional District and Sessions Judge (PCR), Madurai stands set aside and the appellant is acquitted of the charge under Section 325 IPC. The fine amount if any remitted is ordered to be refunded and the bail bond if any, executed by the accused shall stand discharged. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo
trp/das

To

The III Additional District and
Sessions Judge (PCR), Madurai

copy to
The Section Officer, Criminal Section-2 copies
Madurai Bench of Madras High Court, Madurai.

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