



BAIL SLIP

The Petitioner, Kavaskar S/o.Mokkai was directed to be released on bail of order of this Court dt:18.05.2017 in Crl.MP(MD) No.4213/2017 in Crl.RC(MD)No.409/2017.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.RC (MD)No.409 of 2017

Kavaskar : Petitioner/Appellant/Petitioner

Vs.

Represented by its
Inspector of Police,
Gudalur Police Station,
Theni District.

(Crime No.292 of 2008)

: Respondent/Respondent/Respondent

PRAYER: The Criminal Revision case is filed under Section 397 r/w 401 of the Code of Criminal Procedure, to allow this Criminal Revision and call for records relating to judgment passed by the learned Additional District and Sessions Judge, Theni, situated at Periyakulam in C.A.No.15 of 2015 dated 26.04.2017 confirming the judgment passed by the learned Judicial Magistrate, Uthamapalayam in C.C.No.89 of 2009 dated 23.06.2015 and set aside the same.

For Petitioner

: Mr.K.Sivabalan

For Respondent

: Mr.M.Muthumanikkam

Counsel for Government of
Tamil Nadu (crl.side)

ORDER

This Criminal Revision Case is filed against the judgment dated 26.04.2017 passed in C.A.No.15 of 2015 by the learned Additional District and Sessions Judge, Theni, at Periyakulam, confirming the judgment passed by the learned Judicial Magistrate, Uthamapalayam, in C.C.No.89 of 2009 dated 23.06.2015.

2.The revision petitioner is the first accused in C.C.No.89 of 2009 on the file of the Judicial Magistrate Court, Uthamapalayam. Before the trial Court, he has been convicted by the learned



Judicial Magistrate, Uthamapalayam, under Section 326 of I.P.C and sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default to undergo one month simple imprisonment. Challenging the conviction and sentence, the petitioner herein preferred an appeal in C.A.No.15 of 2015, before the learned Additional District and Sessions Judge, Theni, at Periyakulam. By judgment dated 26.04.2017, the learned Additional District and Sessions Judge after affirming the view arrived at by the trial Court dismissed the appeal. Challenging the correctness of the judgment rendered by the Court below, the petitioner is before this Court, by way of filing the present Criminal Revision Case.

3.Today, when the revision is came up for hearing, the learned counsel appearing for the petitioner and the learned Government Advocate(crl.side) appearing for the respondent appeared before this Court in hybrid mode. The learned counsel appearing on either side submitted that the sentence (i.e., two years) awarded by the trial Court under Section 326 of I.P.C has already been undergone by the accused and after completing the said period, he has been released from jail.

4.The submission made by the learned counsel appearing on either side is recorded.

5.In view of the same, nothing survives for further adjudication in this revision. Accordingly, the present Criminal Revision Case is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

To:-

- 1.The Additional District and Sessions Judge,
Theni, at Periyakulam.
- 2.The Judicial Magistrate, Uthamapalayam.
- 3.The Inspector of Police,
Gudalur Taluk Police Station,
Theni District.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

Cr1.RC (MD)No.409 of 2017
25.08.2021

GC(06.09.2021) 3P 7C