

Bail Slip

The Accused/Appellant viz Panneerselvam S/o.Ramachandran, Male, Age 37 Years was directed to be released on bail as per order dated 11.06.2008 in CrI.M.P.No.1 of 2008 in CrI.A.No.229 of 2008 on the file of this Court.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2022

CORAM

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

CrI.A.No.229 of 2008

Panneerselvam.

... Appellant/Accused

-Vs.-

State by Inspector of Police,  
Pudupet Police Station,  
Cuddalore District,  
Crime No.85 of 2006.

.. Respondent/Complainant

Criminal Appeal filed under Section 374(2) of Code of Criminal Procedure to set aside the Judgment made in S.C.No.32 of 2007 dated 29.01.2008 on the file of the learned Principal Sessions Judge, Cuddalore.

For Appellant : Mr.V.Janardhanan

For Respondent : Mr.S.Udaya Kumar,  
Government Advocate

J U D G M E N T

This appeal has been filed by the accused against the order of conviction by the trial Court for the offences under Section 417 IPC and 376 of IPC and Sections 3(1)(x) and 3(1)(xii) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998.

2. The appellant was convicted by the trial Court on 29.01.2008. Aggrieved by that, this appeal was filed on 27.03.2008. The sentence was suspended by this Court by an order dated 11.06.2008. Thereafter, the appellant has been married to the de facto complainant on 08.12.2008 and the same was

registered at Cuddalore Registrar office in HMR/CUDDALORE JOINT I/1254/2008. The appellant lived with de facto complainant/PW1 happily. Recently the de facto complainant died and the death certificate, which was produced by the public prosecutor indicates that on 14.02.2021 the de facto complainant died.

3. From the material placed, it is clear that though the appellant was convicted for the offence under Sections 417 IPC and 376 of IPC and Sections 3(1)(x) and 3(1)(xii) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, the subsequent conduct of the petitioner reveals that he was married to the de facto complainant, who had been victim of the crime and he lived with her for more than 14 years till her death.

4. In view of the above fact, this Court records that though, trial Court based on the evidence has convicted the appellant for the alleged offence, the real conduct of the appellant clearly indicates that there was no intention of cheating or rape or harassment and hence the appeal is allowed and the appellant is acquitted from all the charges.

5. In the light of the above discussion, this Criminal Appeal is allowed.

Sd/-  
Assistant Registrar(Cs-II)

//True copy//

Sub Assistant Registrar

nsa

To

1. The Principal Sessions Judge,  
Cuddalore.
2. The Judicial Magistrate,  
Ponrutti.
3. -do-Through Chief Judicial Magistrate,  
Cuddalore.
4. The Inspector of Police,  
Pudupet Police Station,  
Cuddalore District.

5. The Superintendent,  
Central Prison,  
Cuddalore.
6. The Public Prosecutor,  
High Court, Chennai.

Copy To

The Section Officer,  
Criminal Section,  
High Court, Madras.

Crl.A.No.229 of 2008

SKM(CO)  
GMY(15/07/2022)