



W.P.No.14443 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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A.Lakshmanan

.. Petitioner

Vs

- 1.State Rep. through the
Home Secretary,
Home Department,
Fort St.George, Chennai – 09.
- 2.The Principal Secretary/Commissioner of
Revenue Administration Disaster
Management and Mitigation,
Govt of Tamil Nadu,
Chennai – 09.
- 3The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 4.The Superintendent of Police,
Vellore District,
Vellore – 632009.
- 5.The District Collector,
Vellore District,
Vellore – 632 009.
- 6.The Inspector of Police,
Ambur Police Station,
Vellore District.



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7.The Member Secretary,
District Legal Authority Service,
Vellore Satta Uthavi Maiyam Building,
Vellore – 632 009.

.. Respondents

Prayer :- Writ Petition filed under Article 226 of Constitution of India seeking to issue Writ of Mandamus, directing the respondent 1 to 7 to pay a just and reasonable compensation to the petitioner in view of severity of petitioner's injury, expenditure with regard to grafting and reconstruction surgery, physical and mental pain and for disability by acid attack within a stipulated time fixed by this Court.

For Petitioner : Ms.Sudha Ramalingam

For Respondents

For R1 to 7 : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed to direct the respondent 1 to 7 to pay a just and reasonable compensation to the petitioner in view of severity of petitioner's injury, expenditure with regard to grafting and reconstruction surgery, physical and mental pain and for disability by acid attack within a stipulated time fixed by this Court.

2. Heard both sides.



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3. The petitioner sustained injuries by pouring acid on him and immediately he was admitted to the hospital and he sustained gravious injuries. Pursuant to the occurrence, the crime was registered in FIR No.98 of 2007 for the offence under Section 324 IPC as against the accused persons and after completion of investigation, the police filed a final report and the same has been taken cognizance in C.C.No.34 of 2012, on the file of the Chief Judicial Magistrate Court, Vellore. While pending this writ petition, now the petitioner seeks compensation under Section 357 Cr.P.C. It is relevant to extract the provision of Section 357(3) reads as follows;-

" Section 357. Order to pay compensation.

(3). When a Court imposes a sentence, of which fine does not form a part, the Court may, when passing judgment, order the accused person to pay, by way of compensation, such amount as may be specified in the order to the person who has suffered any loss or injury by reason of the act for which the accused person has been so sentenced."

4. Thus, it is clear that only after completion of trial, the trial



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Court can be recommended for compensation admittedly, the trial is still pending. Therefore, the prayer sought for in this writ petitioner cannot be considered. However, the Chief Judicial Magistrate Court, Vellore, is directed to complete the trial in C.C.No.34 of 2012, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands dismissed.

No costs.

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Index:Yes/No

Speaking/Non speaking order

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To

1.The Home Secretary,
2nd Floor, Main Building,



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Rajaji Road,
St.George Fort,
Chennai – 600 009.

- 2.The Inspector of Police,
Race Course Road, Thomas Park,
Coimbatore – 641 018.
- 3.The Deputy Inspector of Police,
Red Fields,
Coimbatore – 641 018.
- 4.The Superintendent of Police,
State Bank Road,
Coimbatore – 641 018.
- 5.The Deputy Superintendent of Police,
Old Bus Stand,
Valparai – 642 127.
- 6.The Tahsildar,
Anaimalai,
Pollachi.
- 7.The Inspector of Police,
SH 21, Near Karur Vyshya Bank,
Anaimalai – 642 104.
- 8.The Sub-Inspector of Police,
O/o. Kottur Police Station,
Kottur – 641 601
- 9.The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN. J,

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