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Crl.R.C.No.1331 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2023

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.R.C.No.1331 of 2017

Pakiyaraj

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
Crime No.282 of 2007

... Respondent

Criminal Revision filed under Sections 397 and 401 Cr.P.C praying to call for the records pertaining to the judgment in C.A.No.25 of 2017 dated 11.08.2017 passed by the Learned Additional District Sessions Judge, Krishnagiri confirming the conviction under Section 326 IPC and sentencing him to undergo simple imprisonment for three years and to pay a fine of Rs.1000/- in default to undergo simple imprisonment for two months in judgment in C.C.No.36 of 2009 dated 16.03.2017 passed by the learned Judicial Magistrate-II, Hosur, Krishnagiri District, set aside the same.

For Petitioner : Mr.A.Balamurugan

For Respondent : Mr.R.Murthi
Government Advocate (Crl.Side)



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ORDER

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This Criminal Revision case has been filed to call for the records pertaining to the judgment in C.A.No.25 of 2017 dated 11.08.2017 passed by the learned Additional District Sessions Judge, Krishnagiri against the judgment made in C.C.No.36 of 2009 dated 16.03.2017 passed by the learned Judicial Magistrate-II, Hosur, Krishnagiri District and set aside the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent. Perused the entire materials available on record.

3. The learned counsel for the petitioner submitted that the parties are compromised the matter out of the Court and hence, he should be permitted to compound the case.

4. The *defacto* complainant is the injured /victim. He has filed an affidavit stating that by considering the long-term relationship between himself and the accused, he has chosen to settle the matter among themselves. It is submitted that an affidavit to this effect was filed by the *defacto*



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complainant along with Joint Compromise Memo. The *defacto* complainant is said to have received a sum of Rs.1,00,000/- as compensation from the accused. It is further stated that both the complainant and the accused live in the same locality and they are known to each other.

5. The petitioner and the *defacto* complainant were identified by Mr.P.Venkatachalam, SSI, Mathigiri Police Station, Krishnagiri District.

6. Hence, the Joint compromise memo is recorded. In view of that, the offence under section 326 IPC against the petitioner/accused shall stand compounded. The Petitioner/accused shall stand acquitted of the charge under Section 326 IPC.

7. In the result, this Criminal Revision Case is disposed of as compounded. The Joint Compromise Memo shall form part of the order.

20.01.2023

Index: Yes/No

Speaking / Non Speaking Order

Neutral Citation Case: Yes/No

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R.N.MANJULA, J

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To

1. The Additional District Sessions Judge,
Krishnagiri.
2. The Judicial Magistrate-II,
Hosur, Krishnagiri District.
3. The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
4. The Public Prosecutor,
High Court of Madras,
Chennai-104.

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