



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.1067 of 2019

and

Crl.M.P.No.14516 of 2019

Ramamoorthy

...Petitioner

-Vs-

The State rep.by
The Inspector of Police,
Thiruvalem Police Station,
Thiruvalem,
Vellore District.

...Respondent

PRAYER:-This Criminal Revision Petition is filed under Section 401 read with Section 397 of Cr.P.C. to set aside the conviction imposed the order dated 05.09.2019 made in Crl.A.No.15 of 2019 on the file of the I Additional District and Sessions Judge at Vellore, confirming the conviction imposed in judgment dated 28.01.2019 made in C.C.No.246 of 2009 on the file of the Judicial Magistrate, Katpadi.

For Petitioner : Mr.K.Selvakumaraswamy

For Respondent : M.V.J.Priyadarsana,
Government Advocate (Crl.Side)

**ORDER**

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Heard the learned counsel appearing for the petitioner.

2. At the instance of P.W.1, the case was registered and investigation and charge sheet had been filed by the respondent-Police, Thiruvalem Police Station, Vellore District in C.C.No.246 of 2009 on the file of the learned Judicial Magistrate, Katpadi. He is convicted by the trial Court which is confirmed in CrI.A.No.15 of 2019.

3. The appellant/accused is found guilty under Sections 406 and 420 of I.P.C and convicted and sentenced to undergo Simple Imprisonment for three years and to pay a fine of Rs.1,000/-, in default, to undergo Simple Imprisonment for further period of three months for the offence under Section 406 of I.P.C and convicted and sentenced to undergo Simple Imprisonment for three years and to pay a fine of Rs.1,000/-, in default, to undergo Simple Imprisonment for further period of three months for the offence under Section 420 of I.P.C and the above sentences are ordered to be run concurrently and set off allowed under Section 428 Cr.P.C.



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4. After hearing both sides and also taking note of the evidence of P.W.1 and also taking into account, the offence under Section 420 I.P.C and the quantum being Rs.90,000/- the learned counsel appearing for the petitioner contended that the revision petitioner is willing to deposit Rs.90,000/- on or before 13.07.2023 before the learned Judicial Magistrate, Katpadi in C.C.No.246 of 2009.

5. Accordingly, the said settlement is hereby recorded and the conviction and sentence shall stand modified to that effect and he has to undergo the sentence if any as stated supra.

6. Accordingly, this Criminal Revision Petition is partly-allowed to the limited extent indicated above. Consequently, connected Crl.M.P is closed.

7. Post in the caption ' for reporting compliance ' on 14.07.2023.

14.06.2023

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Neutral Citation: Yes/No



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RMT.TEEKAA RAMAN,J.,

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To

1. The Judicial Magistrate, Katpadi.

2. The Public Prosecutor,
High Court, Madras.

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