



Crl.R.C.(MD)No.74 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.(MD)No.74 of 2019

Mani

... Petitioner

Vs.

State of Tamilnadu Rep.by
The Inspector of Police,
Kottar Police Station,
Naggercoil, Kanyakumari District.

... Respondents

PRAYER : Criminal Revision Case filed under Section 397 r/w 401 of the Code of Criminal Procedure, to call for the records relating to the order dated 22.01.2019 made in Crl.M.P.No.4101 of 2018 in C.A.No.135 of 2018 on the file of the District and Sessions Judge, Kanyakumari District at Nagercoil and set aside the same and consequently allow the Crl.M.P.No.4101 of 2018 in CA.No.135 of 2018 on the file of the District and Sessions Judge, Kanyakumari District at Nagercoil.

For Petitioner : Mr.E.V.N.Siva

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl. Side)



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ORDER

This Criminal Revision Case has been filed to set aside the order dated 22.01.2019 made in CrI.M.P.No.4101 of 2018 in C.A.No.135 of 2018 on the file of the District and Sessions Judge, Kanyakumari District at Nagercoil.

2.The petitioner is an accused in Cr.No.1461 of 2012 for the offence under Sections 323, 294(b), 448 IPC and Section 4 TNPWH Act, 1998. The respondent after completion of investigation filed final report and the same has been taken cognizance by the trial Court. On perusal of oral and documentary evidence, the trial Court found the petitioner guilty for the offence under Section 323 IPC and sentenced him to undergo three months simple imprisonment and to pay a fine of Rs.1,000/- in default to undergo one week simple imprisonment. Aggrieved over the same the petitioner preferred an appeal.

3.While pending appeal, the petitioner filed a petition in CrI.M.P.No.4101 of 2018 for suspending the sentence imposed by the



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trial Court and it was dismissed. Against which, the present revision filed. While admitting this revision, this Court, by an order dated 07.03.2019, suspended the sentence imposed by the trial Court against the petitioner. Accordingly, this criminal revision case is allowed and the order of the Court below is hereby set aside. The appellate Court is directed to dispose of the appeal, within a period of three months from the date of receipt of a copy of this order.

05.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The District and Sessions Judge,
Kanyakumari District at Nagercoil.
- 2.The Inspector of Police,
Kottar Police Station,
Naggercoil, Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.K.ILANTHIRAIYAN,J.

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