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CrI.A.(MD)No.55 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.A.(MD)No.55 of 2019
and CrI.M.P.(MD)No.1380 of 2019

Johny Bai

... Appellant

versus

State, rep. by
The Inspector of Police,
Ponmalai All Women Police Station,
Tiruchirappalli.

... Respondent

Prayer : Criminal Appeal filed under Section 374 Cr.P.C. to call for the records relating to the Judgment dated 28.08.2017 made in Special S.C.No.8 of 2016 on the file of the learned Sessions Judge, Mahila Court, Tiruchirappalli and set aside the same.

For Appellant : Mr.N.Anandakumar
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

JUDGMENT

The appellant is the accused in Special S.C.No.8 of 2016 on the file of the learned Sessions Judge, Mahila Court, Tiruchirappalli. After the trial, the trial Court, by Judgment dated 28.08.2017, found the appellant guilty for the offence under Section 7 r/w. Section 8 of the POCSO Act, 2012, convicted and sentenced him to undergo five years rigorous imprisonment and to pay a fine of Rs.5000/-, in default, to undergo one year simple



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imprisonment. Challenging the Judgment of conviction, the present Criminal Appeal is filed.

2. When the matter was taken for hearing, this Court, by order dated 09.08.2024, directed the Registry to call for a report from the learned Sessions Judge, Mahila Court, Tiruchirappalli, as to whether the accused walked out from the prison, after serving the sentence.

3. Pursuant to the order of this Court dated 09.08.2024, the learned Sessions Judge, Mahila Court, Tiruchirappalli, has sent a report dated 20.08.2024, stating that the accused walked out from the prison on 01.12.2021 after serving the sentence and after having earned 266 days remission.

4. In view of the said development, nothing survives in the Criminal Appeal. Therefore, this Criminal Appeal is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

27.08.2024

Index : Yes/No

Internet: Yes/No

NCC : Yes/No.



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To
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1. The Sessions Judge,
Mahila Court,
Tiruchirappalli.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

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