



Crl.R.C(MD)No.558 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated:12.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.R.C(MD)No.558 of 2024

K.Sankar

... Petitioner

Vs.

1. State rep. by,
The Inspector of Police,
Karur Town Police Station,
(C.C No.201 of 2020)

2. The Superintendent of Prisons,
Central Prison,
Tiruchirappalli – 620 020.

... Respondents

PRAYER: Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code, to call for the records pertaining to Crl.M.P.No. 433 of 2024 in Crl.A.No.73 of 2024, on the file of the learned Principal District and Sessions Judge, Karur and set aside the impugned Order dated 25.04.2024 as illegal and void, consequently direct the second respondent to release the petitioner.

For Petitioner : Mr.C.Karthikeyan

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



Crl.R.C(MD)No.558 of 2024

ORDER

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This Criminal Revision Petition is filed against the order, dated 25.04.2024 passed in Cr.M.P.No.433 of 2024 in Crl.A.No.73 of 2024 on the file of the learned Principal District and Sessions Judge, Karur.

2. The case of the prosecution is that on 24.09.2020 at about 15.30 hours, when the defacto complainant along with her sitting as pillion rider in her scooter towards her house, the petitioner herein snatched her gold chain worth about Rs.20,000/- and committed robbery. Based on the complainant of the defacto complainant, a case has been registered in Crime No.1047 of 2020 on the file of the first respondent for the offence punishable under Section 392 of IPC as against the petitioner. Thereafter, on 07.10.2020, at about 10.15 hours, the Investigation Officer arrested the petitioner near five road of Karur and he produced the complainant's gold chain from his pant pocket. The 1st respondent seized the two wheeler drove by the petitioner which is used for robbery and sent him judicial custody. The 1st respondent conducted an investigation and filed a final report before the learned Judicial Magistrate No.I, Karur and the same was taken on file in C.C.No.201 of 2020.



Crl.R.C(MD)No.558 of 2024

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3. During trial, the prosecution has examined 6 witnesses, 12 Exhibits were marked and marked one Material Object as M.O.1. However, neither a witness was examined nor a document was exhibited on the side of the accused.

4. The learned Counsel for the petitioner submitted that the petitioner is in no way connected to the offence as alleged in the FIR. Further, he submitted that the petitioner is falsely implicated in the case.

5. The learned Additional Public Prosecutor would submit that the investigation is still pending.

6. This Court has considered the submissions made by the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondents and perused the records placed before this Court.

7. Considering the submissions made by both sides and considering the antecedents of the petitioner and also considering the manner of occurrence took place, this Court is not inclined to grant suspension of sentence to the



Crl.R.C(MD)No.558 of 2024

petitioner.

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8. Accordingly, this Criminal Revision Petition is dismissed. The learned Principal District and Sessions Judge, Karur is directed to dispose of the appeal within a period of one month from the date of receipt of a copy of this order.

12.06.2024

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

jbr

NOTE: Issue order copy on 13.06.2024

To

1. The Principal District and Sessions Judge,
Karur.

2. The Inspector of Police,
Karur Town Police Station,
Karur.

3. The Superintendent of Prisons,
Central Prison,
Tiruchirappalli – 620 020.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.R.C(MD)No.558 of 2024

K.K.RAMAKRISHNAN, J.

jbr

**Order made in
Crl.R.C(MD)No.558 of 2024**

12.06.2024