



CRL OP(MD) No.12175 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the First day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA
and
The Hon`ble Mr.Justice K. RAJASEKAR

CRL OP(MD) No.12175 of 2024
in
CRL A(MD)SR.No.18840 of 2024

THE INSPECTOR OF POLICE
AIRPORT POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
CR. NO. 249/2019

STATE REP.BY
THE PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT

... PETITIONER/ APPELLANT/ COMPLAINANT
in CRL OP(MD)No.12175 of 2024
... APPELLANT/COMPLAINANT
in CRL A(MD)SR.No.18840 of 2024

Vs

1 SANDHANAM

2 BALAMURUGAN ... RESPONDENTS/RESPONDENTS/ ACCUSED 1 & 2
in CRL OP(MD)No.12175 of 2024
... RESPONDENTS/ACCUSED 1 & 2
in CRL A(MD)SR.No.18840 of 2024



CRL OP(MD) No.12175 of 2024

Criminal Original Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant leave to file an appeal to this Honble court against the acquittal judgment passed in the learned II Additional District and Sessions court, Tiruchirappalli district in S.C No. 211 of 2019 dated 09.12.2022.

PRAYER in CRL A(MD)SR.No.18840 of 2024:

To call for the records and set aside the order of acquittal rendered in Judgment dated 09.12.2022 made in S.C.No.211/2019 on the file of the II Additional District and Sessions Court, Tiruchirappalli District by allowing this Criminal Appeal and convict the Respondents/ Accused 1 & 2 as charged.

ORDER : These petitions coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.A.THIRUVADI KUMAR, Additional Public Prosecutor for the petitioner and of MR.S.RAMSUNDARVIJAYRAJ, Advocate on behalf of the Respondents, the Court made the following order:-

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This miscellaneous petition is filed seeking leave of this Court to file an appeal against the Judgment dated 09.12.2022, passed in S.C.No.211 of 2019, by the learned II Additional District and Sessions Judge, Tiruchirappalli, acquitting the accused from the charges framed against them.



CRL OP(MD) No.12175 of 2024

2. Apart from other grounds, learned Additional Public Prosecutor for the petitioner would submit that the Trial Court, despite availability of eyewitnesses to the occurrence, based on the certain minor contradictions, which do not materially affect the prosecution case, has erred in acquitting the accused.

3. Heard Mr.S.Ramsundarvijayraj, learned counsel for the respondents.

4. Having gone through the Judgment of the Trial Court and the materials available on record and being satisfied with the reasons stated in the accompanying affidavit, this petition is allowed and leave is granted to the petitioner – Police to file appeal against the judgment of acquittal passed by the Trial Court.

sd/-
01/08/2024

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/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KRK

TO

1 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TIRUCHIRAPPALLI DISTRICT.



CRL OP(MD) No.12175 of 2024

2 THE INSPECTOR OF POLICE,
AIRPORT POLICE STATION, TIRUCHIRAPPALLI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12175 of 2024
in
CRL A(MD)SR.No.18840 of 2024
Date :01/08/2024

SS/GS/SAR- /08/08/2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023