



Crl.A(MD). No.121 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 02.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CRL A(MD). No.121 of 2020

Balamurugan

... Appellant

/Sole Accused

Vs

State represented by
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
(Crime No.87 of 2017)

... Respondent/ Defacto
complainant

PRAYER: This Criminal Appeal is filed under Section 374(2) of Cr.P.C.,
praying to call for the records in Sepcial Sessions Case No.16 of 2018 on
the file of the learned Sessions Judge, Mahalir Neethimandram, Madurai,
Madurai District and set aside the judgment dated 29.04.2019 and acquit
the appellant of the charges leveled against thim.

For Appellant : Mr.B.N.Raja Mohamed
For Respondent : Mr.M.Sakthi Kumar
Government Advocate(Crl.side)



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JUDGMENT

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This criminal appeal is filed by the accused against the judgment dated 29.04.2019 passed in Sepcial Sessions Case No.16 of 2018 by the learned Sessions Judge, Mahalir Neethimandram, Madurai, Madurai District.

2.By order dated 22.08.2024, this Court passed the following order:

“2.Registry is directed to call for a report from the Superintendent, Central Prison, Madurai, with regard to the date of committal of the appellant in Spl.S.C.No.44 of 2018 and the date of committal in Spl.S.c.No.16 of 2018 on the file of the learned Sessions Judge, Mahalir Neethimandram, Madurai.”

3.Pursuant to the order of this Court, a report has been received from the Superintendent, Central Prison, Madurai, wherein, it has been stated that the imprisonment of the appellant viz., Balamurugan, S/o.Santhanam, has been reduced, as per the Prison Manual, as 3 months 20 days in Spl.S.C.No.16 of 2018 and he has served the sentence period



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on 28.09.2021. Subsequently, he was convicted in Spl.S.C.No.44 of 2018 on the file of the learned Judge, Mahalir Neethimandram, Madurai, by judgment dated 26.09.2019. Now he is undergoing life imprisonment.

4.Since the period of imprisonment had already been served by the appellant, nothing survives for adjudication in the criminal appeal. Hence, this Criminal Appeal is dismissed as infructuous.

02.09.2024

Index:Yes/No

Internet:Yes/No

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To:

1.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

2.Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

G.ILANGOAN,J
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**ORDER IN
CRL.A(MD).No.121 of 2020**

Date : 02.09.2024