



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.12.2024

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL.A(MD).No.230 of 2023

K.Santhanam

... Appellant / Defacto Complainant

Vs.

1.Babu @ Abusakman

2.Rowther Naina

... Respondents 1 & 2/Appellants 1& 2/
Accused No.1 & 2

3.The State through,
The Inspector of Police,
District Crime Branch,
Dindigul District, Dindigul.
(Crime No.11 of 2003)

... 3rd Respondent/Respondent/
Complainant

PRAYER: This Criminal Appeal is filed under Section 378(3) of Cr.P.C., to call for the records in C.A.No.21 of 2020 dated 08.09.2022 passed by the learned Additional Sessions Judge, Dindigul, in acquitting the respondents 1&2/Appellants 1&2/Accused Nos.1&2 from conviction and sentences imposed by the learned Chief Judicial Magistrate, Dindigul, in C.C.No.6 of 2014 dated 13.03.2020, the first accused found guilty for the offence under Section 406 of IPC and convicted and sentence to undergo 3 years simple imprisonment and also to pay fine of Rs.5,000/- (Rupees Five Thousand Only) in default to undergo simple imprisonment for a period of 3 months and both accused No.1&2 were



found guilty for the offences under Section 420 of IPC and ordered to be convicted and sentenced to undergo 3 years simple imprisonment by each accused and also to pay fine of Rs.5,000/- (Rupees Five Thousand Only) in default to undergo simple imprisonment for a period of 3 months. It is ordered further that the accused Nos.1 and 2 shall undergo the above said imprisonment concurrently total fine is Rs.5,000/- + (Rs.5,000/- X 2= Rs.10,000/-) = Rs.15,000/- since the first accused sentenced for imprisonment in both offences of this case he shall be ordered to under go both such imprisonment awarded against him concurrently and set aside the same.

For Appellant : Mr.S.Sarvagan Prabhu

For R3 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

JUDGMENT

The learned counsel appearing for the petitioner has circulated a letter to the Registry, dated 02.12.2024, seeking permission of this Court to withdraw this petition.

2. Permission is granted. Accordingly, this Criminal Appeal is dismissed as withdrawn.

04.12.2024

dss



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To

1. The Additional Sessions Judge,
Dindigul.
2. The Chief Judicial Magistrate,
Dindigul.
3. The Inspector of Police,
District Crime Branch,
Dindigul District, Dindigul.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
5. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.,

dss

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