



Crl.R.C.No.313 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.313 of 2023

and

Crl.M.P.Nos.2579 & 2580 of 2023

M.Parthiban

..... Petitioner

Vs

State Rep by
Inspector of Police,
F-3, Police Station,
Nungambakkam,
Chennai.
(Crime No.2425 of 2017)

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 r/w Section 401 of Code of Criminal Procedure, to set aside the order of conviction dated 21.12.2022 passed by the XXI Additional District and Sessions Court at Chennai in C.A.No.168 of 2021 as confirmed by the order dated 23.09.2021 in C.C.No.729 of 2019 by the learned XIV Metropolitan Magistrate Court, Egmore at Chennai and acquit the petitioner by allowing the Criminal Revision Petition.

For Petitioner : Mr.K.P.S.Saravana Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER



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This Criminal Revision Case has been filed challenging the Judgment dated 21.12.2022 passed in C.A.No.168 of 2021 on the file of the XXI Additional District and Sessions Judge, Chennai, thereby confirming the conviction and sentence imposed by the Trial Court in C.C.No.729 of 2019 dated 23.09.2021 on the file of the XIV Metropolitan Magistrate Court, Egmore, Chennai for the offences under Sections 341, 294(b) and 326 of IPC.

2. The case of the prosecution is that on 17.09.2017 at about 7.30 p.m., in front of the Hyderabad Biriyan Shop, Kamdhar Nagar, Kodambakkam High Road, Chennai, a wordy quarrel arose between the accused and the victim. During the course of the quarrel, the accused attacked the victim with a beer bottle on his neck. In continuation of the same, the other accused persons attacked the victim with their hands. As a result, the victim sustained grievous injuries and he was taken to the hospital for treatment.

3. Based on the complaint, the respondent registered an FIR for the offences under Sections 341, 294(b), 323, 560(ii) of IPC r/w. Section 34 of IPC. After completion of the investigation, a final report was filed and the same has been taken cognizance by the Trial Court in C.C.No.729 of 2019.



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4. On the side of the prosecution, P.W.1 to P.W9 were examined

and Exs.P.1 to P10 were marked. The prosecution has also produced M.O.1.

On the side of the respondent/accused, no witnesses were examined and no documents were marked. On perusal of the oral and documentary evidence, the Trial Court found the first accused, viz, the petitioner herein, alone guilty of the offences under Sections 341, 294(b) and 326 of IPC. Aggrieved by the same, the petitioner preferred an appeal and the same was also dismissed and confirmed the judgment of conviction and sentence passed by the Trial Court. Hence, the present revision has been filed.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. The learned counsel for both parties submitted that the petitioner and the victim have amicably settled the dispute between themselves.

7. In view of the above, the Judgment dated 21.12.2022 passed in 168 of 2021 on the file of the XXI Additional District and Sessions Judge, Chennai and the conviction and sentence imposed on the petitioner by the Trial Court in C.C.No.729 of 2019 dated 23.09.2021 on the file of the XIV



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Metropolitan Magistrate Court, Egmore, Chennai, are hereby set aside.

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8. Accordingly, this Criminal Revision Case stands allowed.

Consequently, connected miscellaneous petitions are closed.

11.06.2025

Index : Yes/No

Neutral citation : Yes/No

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To

1. The XXI Additional District and Sessions Judge,
Chennai

2. XIV Metropolitan Magistrate Court, Egmore,
Chennai

3. The Inspector of Police,
F-3, Police Station,
Nungambakkam,
Chennai.

4. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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