



Crl.A.No.269 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM:

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

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- 1.Sivakumar
- 2.Ranadeep @ Ranadevan
- 3.S.Manikandan @ Scoopi Mani
- 4.S.Manikandan @ Pannumani
- 5.Vikaram

... Appellants

Vs.

State by;
The Inspector of Police,
Selvapuram Police Station,
Coimbatore City
(crime No.441 of 2014)

... Respondent

PRAYER: Criminal Appeal filed under Section 374(2) of Cr.P.C., praying to call for the records and set aside the conviction and sentence imposed against the appellants in the judgment dated 08.02.2023 in SC.No.314 of 2015 (on the file of the Principal District and Sessions Judge, Coimbatore) and acquit the appellant.

For Appellants : Mr.G.Rajesh

For Respondent : Mr.S.Raja Kumar,
Additional Public Prosecutor

JUDGMENT



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This criminal appeal has been preferred against the judgment

dated 08.02.2023 passed in SC.No.314 of 2015 on the file of the Principal

District and Sessions Judge, Coimbatore.

2. The case of the prosecution is that all the accused persons gathered near Masaniamman temple at Chokkanpudur and they were in inebriated condition. They quarreled with each other and caused nuisance to the general public. It was informed to the police personnels i.e.PW1 & PW6. Immediately, they rushed to the scene of occurrence. When it was questioned, the accused gathered together and abused PW1 and PW6 by using filthy languages. The accused persons also had beaten them with their hands. Further, they caused damage to police patrol jeep to the tune of Rs.3,519/- On complaint, the respondent registered FIR in crime No.441 of 2014 for the offence punishable under Sections 147 & 332 of IPC and 3(1) of TNPPDL Act. After completion of investigation, the respondent filed final report and the same was taken cognizance by the trial court.

3. On the side of the prosecution, they had examined PW1 to PW11 and marked Ex.P1 to Ex.P11. On the side of the accused persons,

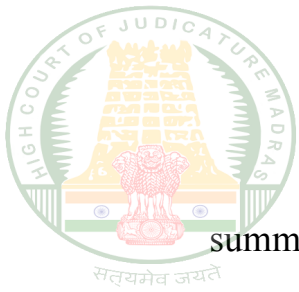


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the first accused was examined as DW1 and marked Ex.D1. The prosecution also produced a material object as PMO.1. On perusal of oral and documentary evidences, the trial court found the appellants guilty under Sections 147 & 332 of IPC. They were sentenced to undergo three months simple imprisonment and to pay fine of Rs.1,000/- each, in default of which to undergo 15 days simple imprisonment for the offence under Section 147 of IPC. They were sentenced to undergo six months simple imprisonment and to pay fine of Rs.2,000/- each, in default of which to undergo one month simple imprisonment for the offence under Section 332 of IPC. Accused 1, 2 & 4 were found guilty of the offence under Section 3(1) of TNPPDL Act and sentenced to undergo one year simple imprisonment and to pay fine of Rs.3,000/- each, in default of which to undergo one month simple imprisonment.

4. Heard, the learned counsel appearing on either side and perused, all the materials placed before this Court.

5. On perusal of the records, it is revealed that the first accused also sustained injuries and he was admitted into hospital. The discharge



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summary of the first accused was marked as Ex.D1. In order to substantiate the same, he was examined as DW1. According to the first accused, on 17.08.2014 a festival was celebrated by a large number of people at Muniappan temple near Chokkanpudur Jeeva Colony. While being so, at about 5 p.m., while he was inside the house, he heard a commotion outside his house. Immediately, he came out of his house and saw PW2 to PW6 beating the general public and they also informed DW1 to go inside. When he refused to go inside, he was also beaten up by the police personnels and he sustained injuries on his head and face. Immediately he was taken to Government Hospital and he was admitted for four days as in-patient. The second accused is his brother and other accused persons are his neighbours.

6. On perusal of deposition of PW1, it is revealed that there was a festival at Muniappan temple near the scene of occurrence, for which the police personnels were engaged for protection. While being so, on 17.08.2014, there was a commotion amongst the general public and it was questioned by him. Therefore, the accused persons questioned why they were being detained for consuming alcohol and riding a two-wheeler without a helmet and stated that he was receiving salary only



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from the tax money that they pay. Thereafter, PW1 asked the accused persons to disperse from the place of crime. However, they attacked the police vehicle, thereby caused damage to the jeep. PW6 deposed that there were quarrels among the accused persons and the same were questioned by him. Immediately, the accused persons replied that it was their issue and they would take care of that and they restricted him from interfering. Therefore, there was a push and pull between PW1 and PW6 with the accused persons. Further, the accused damaged the mirror of the police jeep. It is seen that the fourth appellant had already undergone the entire sentence and he was released on 22.12.2023 itself. Insofar as the other accused persons concerned, they have also been incarcerated for more than three months. Further, they have also paid the fine as ordered by the trial court.

7. Considering the nature of the crime committed by the appellants, this Court is inclined to reduce the period of the sentences of imprisonment imposed by the trial court in respect of A1, A2, A3 & A5. Since the fourth appellant had undergone the entire period of sentences, he was released from the prison. Accordingly, in respect of A1, A2, A3 & A5, the judgment dated 08.02.2023 passed in SC.No.314 of 2015 on the



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file of the Principal District and Sessions Judge, Coimbatore, is modified

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- (i) The conviction rendered for the offences under Sections 147 & 332 of IPC and 3(1) of TNPPDL Act is confirmed.
- (ii) The sentences of imprisonment imposed by the trial court are reduced to the period of imprisonment already undergone by A1, A2, A3 & A5.
- (iii) The fines imposed by the trial court are confirmed.

8. With the above modification, this criminal appeal stands partly allowed.

12.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

- 1.The Principal District and Sessions Judge, Coimbatore
- 2.The Inspector of Police,
Selvapuram Police Station,
Coimbatore City
- 3.The Public Prosecutor,
Madras High Court.



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G.K.ILANTHIRAIYAN, J.

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