



Crl.R.C.No.791 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM :

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

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Sathishkumar

... Petitioner

Vs.

The Sub-Inspector of Police,
Attur Rural Police Station,
Salem District.

... Respondent

Prayer : Criminal Revision Case filed under Section 397 and 401 of Cr.P.C., pleaded to set aside the order dated 17.02.2023 made in Crl.A.No.54 of 2022 on the file of the III Additional Sessions Judge, Salem confirmed the conviction in C.C.No.91 of 2021 order dated on 06.07.2022 on the file of the learned Judicial Magistrate – 1, Attur, by allowing this Revision.

For Petitioner : Mr.V.M.Kamalanathan
for M/s.V.Gunasekar

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



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ORDER

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This Criminal Revision Case has been preferred against the judgment dated 17.02.2023 passed in Crl.A.No.54 of 2022 by the learned III Additional District Court, Salem, thereby confirmed the conviction and sentence u/s 324 IPC imposed vide order dated 06.07.2022 passed in C.C.No.91 of 2021 by the learned Judicial Magistrate No.1, Attur.

2. The case of the prosecution is that on 02.12.2020, at about 11.00 p.m., after having tea, while P.W.1 and P.W.2 were returning to their village, near Railway Gate, the accused waylaid P.W.1 and questioned that why he is interfering in his affairs and the accused had attacked P.W.1, in his left Parietal region of the head by using an iron rod, due to which, P.W.1 had suffered a bleeding injury in his head. He also threatened him with dire consequences. On the complaint of P.W.1, the respondent registered an FIR in Crime No.515 of 2020 for the offence u/s 341, 294(b), 324 and 506(ii) IPC. After completion of investigation, a final report was filed before the Judicial Magistrate No.1, Attur and the same has been taken cognizance in C.C.No.91 of 2021. Before the Trial Court, the prosecution examined nine (9) witnesses as P.W.1 to P.W.9 and marked nine (9) documents as Ex.P.1 to Ex.P.9 and



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produced M.O.1. On the side of the petitioner/accused, no one was examined and no document was marked. After elaborate discussions, the trial court convicted the petitioner u/s 324 of IPC and sentenced him to undergo simple imprisonment for one year and to pay fine of Rs.1,000/-, in default to payment of fine, to undergo simple imprisonment for a further period of one week. Challenging the same, the petitioner has filed an appeal in Criminal Appeal No.54 of 2022 before the learned III Additional Sessions Judge, Salem and the learned Sessions Judge, vide judgment dated 17.02.2023, dismissed the appeal by confirming the conviction and sentence passed by the learned Judicial Magistrate No.1, Attur. Aggrieved by the same, the present revision is filed.

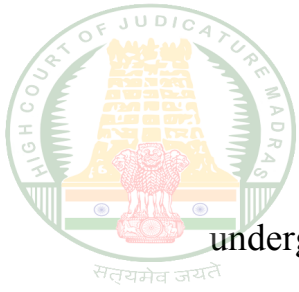
3. The learned counsel for the petitioner would submit that the petitioner and the P.W.1 to P.W.3 are close relatives and due to previous enmity, there was a wordy quarrel in between them. In fact, the petitioner had also sustained injuries during the said quarrel. Further, he submitted that now, the victim and the petitioner have entered into a compromise and amicably settled the issue. Therefore, he prays for appropriate orders.



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4. Considering the above facts and circumstances of the case, this Court finds no grounds to interfere with the concurrent findings of the Trial Court as well as the Appellate Court in convicting the petitioner for the offence punishable u/s 324 of IPC. However, this Court is inclined to modify the sentence imposed by the Trial Court and confirmed by the Appellate Court. Further, considering the nature of injuries sustained by the victim/P.W.1, this Court is of the view that the ends of justice would be met, if the petitioner is directed to pay compensation to the victim/P.W.1.

5. Accordingly, the order of conviction imposed on the petitioner is hereby confirmed, however the sentence of one year simple imprisonment is reduced to the period already undergone on condition that the petitioner shall pay the compensation of Rs.20,000/- (Rupees Twenty Thousand only) directly to the victim/P.W.1 and produce the acknowledgement before the respondent police on or before 28.07.2025, failing which, the order of conviction and sentence imposed by the Trial Court and confirmed by the Appellate Court shall automatically stand revived and the respondent police is directed to secure the petitioner to



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undergo the remaining period of sentence imposed by the Trial Court and confirmed by the Appellate Court.

6. In the result, the Criminal Revision Case is partly allowed.

01.07.2025

Index : Yes / No

Speaking order / Non-speaking order

NCC : Yes / No

sp

To

1.The III Additional Sessions Judge, Salem.

2.The Judicial Magistrate No.1, Attur.

3.The Sub-Inspector of Police, Attur Rural Police Station, Salem District.



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G.K.ILANTHIRAIYAN, J.

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