



Crl.R.C.No.797 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM:

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

Crl.R.C.No.797 of 2023

Malliga

..... Petitioner

Vs

The State represented by
The Inspector of Police,
K-1 Sembiam Police Station,
Chennai District
(crime No.1046 of 2016)

..... Respondent

PRAYER:

Criminal Revision Case is filed under Sections 397 & 401 of Cr.P.C., praying to set aside the judgment and order made in CA.No.107 of 2022 on the file of the learned IV Additional Sessions Judge, City Civil Court, Chennai dated 02.03.2023 confirming the judgment made in CC.No.9708 of 2017 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai dated 23.05.2022.

For Petitioner : Mr.M.Arun
for M/s.Karan and Uday

For Respondent : Mr.A.Gopinath,
Government Advocate(crl.side)

ORDER



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This criminal appeal has been filed against the judgment passed in CA.No.107 of 2022 on the file of the learned IV Additional Sessions Judge, City Civil Court, Chennai dated 02.03.2023, thereby confirming the conviction and sentence imposed by the trial court in CC.No.9708 of 2017 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai dated 23.05.2022 for the offence punishable under Section 324 of IPC.

2. The case of the prosecution was that on 24.09.2016 at about 18.15 hours, there was a wordy quarrel between the petitioner and the victim. At that juncture, the petitioner assaulted the victim by a temple bell and caused simple injuries. On a complaint, the respondent registered FIR in crime No.1046 of 2016 for the offence punishable under Sections 341, 294(b), 324 & 506(ii) of IPC. After completion of investigation, the respondent filed final report and the same was taken cognizance by the trial court.

3. In order to bring the charges to home, the prosecution had examined PW1 to PW8 and marked Ex.P1 to Ex.P8. The prosecution produced a material object as M.O.1. On the side of the accused, no one was examined and no documents were produced. On perusal of oral and documentary evidences, the trial court found the petitioner guilty for the offence punishable



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under Section 324 of IPC and she was sentenced to undergo five months simple imprisonment. Aggrieved by the same, she preferred appeal and the same was dismissed and the order of conviction and sentence imposed by the trial court was confirmed.

4. On perusal of records, it is revealed that admittedly there was a wordy quarrel between the victim and the petitioner, due to which the victim sustained an injury, which was declared as simple in nature. The victim was examined as PW1. Immediately after the occurrence, she was taken to hospital and PW7 treated her as in-patient. The accident register was marked as Ex.P4. On perusal of the accident register, it is revealed that PW1 sustained two simple injuries, one on her fore-head and another above her left eye. The other eye witnesses were examined as PW2 to PW4 and they also categorically deposed and corroborated the evidence of PW1. Therefore, the prosecution categorically proved the charges and the trial court rightly convicted the petitioner. Thereafter, the conviction was rightly confirmed by the appellate court. However, insofar as the sentence, this Court is inclined to modify.

5. Accordingly, the order of conviction rendered by the courts below is confirmed. However, the sentence imposed on the petitioner is reduced to the



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period already undergone by her on condition that the petitioner shall pay

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compensation of Rs.20,000/- directly to PW1 and produce acknowledgment / receipt before the respondent within a period of four weeks from the date of receipt of this order, failing which the order passed by this Court in this criminal revision case shall automatically stand cancelled and the order of sentence imposed by the trial court, which was confirmed by the appellate court shall automatically stand restored and thereafter the respondent shall be at liberty to secure the petitioner in order to undergo the remaining period of sentence.

6. In the result, this criminal revision case stands partly allowed.

18.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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- To
- 1.The learned IV Additional Sessions Judge,
City Civil Court, Chennai
 - 2.The V Metropolitan Magistrate Court, Egmore, Chennai
 - 3.The Inspector of Police,
K-1 Sembiam Police Station,
Chennai District
 - 4.The Public Prosecutor,
High Court of Madras

G.K.ILANTHIRAIYAN, J.
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