



Crl.R.C.No.1177 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM:

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

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G.Gnanaruben

... Petitioner

Vs

1. M.Saravanan
2. Mani
3. Station House Officer,
Represented by Inspector of Police,
Cuddalore N.T.Police Station,
Cuddalore.

... Respondents

PRAYER: Criminal Revision Case is filed under Section 397(1) read with 401 of the Code of Criminal Procedure, to set aside the order in Crl.Appeal No.89 of 2019 dated 12.12.2022 on the file of the Sessions Judge, Cuddalore Division, Cuddalore, dismissed for default in CC.No.84 of 2012 on the file of the Judicial Magistrate No.II, Cuddalore dated 03.04.2018 acquitting the Respondents 1 and 2 under Sections 326 and 506(ii) of IPC and allow this Criminal Revision Petition.

For Petitioner	: Mr.R.Muralidharan
For R1 and R2	: Mr.R.Sunilkumar
For R3	: Mr.A.Gopinath
	Government Advocate (Crl.side)

ORDER



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This Criminal Revision has been filed as against the Judgment passed in Crl.Appeal No.89 of 2019 dated 12.12.2022 on the file of the Sessions Judge, Cuddalore Division, Cuddalore, thereby dismissing the appeal as against the order passed in C.C.No.84 of 2012, dated 03.04.2018, on the file of the Judicial Magistrate No.II, Cuddalore, thereby convicting the respondents 1 and 2 for the offences punishable under Sections 294(b) and 324 of IPC and imposed fine of Rs.500/- and Rs.1000/- for the respective offences.

2. The petitioner is the defacto complainant. The case of the prosecution is that on 14.11.2021 at about 07.45 a.m, when the petitioner and his wife were about to fetch drinking water in front of the house of the respondents 1 and 2, due to previous enmity, they assaulted the petitioner by iron pipe on his left knee. They also attacked with wooden log. Therefore, the petitioner sustained fracture on his left knee. Hence, the complaint.

3. On receipt of the complaint, the third respondent registered FIR in Crime No.617 of 2011 for the offences punishable under Sections 294(b), 324, 326 and 506(ii) of IPC. After completion of investigation, the third respondent filed a final report and the same has been taken cognizance by the Trial Court.

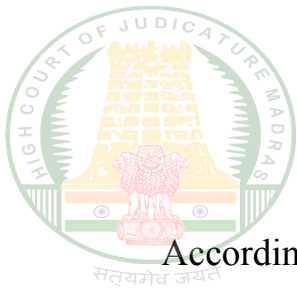


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4. On the side of the prosecution, they had examined PWs.1 to 13 and marked Exs.P1 to 9. On the side of the accused, no one was examined and no document was marked. On perusal of oral and documentary evidence, the Trial Court convicted the respondents 1 and 2 for the offences punishable under Sections 294(b) and 324 of IPC and imposed fine of Rs.500/-, in default to undergo four weeks simple imprisonment for the offence under Section 294(b) of IPC and Rs.1000/- in default to undergo four weeks simple imprisonment for the offence under Section 324 of IPC. Aggrieved by the same, the petitioner preferred an appeal and the same was dismissed for default. Hence, this revision.

5. Admittedly, the petitioner sustained fracture on his left knee and admitted into the hospital as in-patient for more than 10 days. The prosecution categorically proved the case of the prosecution. However, due to the nature of the injury, the Trial Court found the respondents 1 and 2 guilty for the offences punishable under Sections 294(b) and 324 of IPC. However, failed to sentence them to imprisonment.

6. In order to meet the ends of justice, this Court is inclined to order compensation payable by the respondents 1 and 2 in favour of the petitioner.



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Accordingly, the fine amount imposed by the Trial Court in C.C.No.82 of 2012

is hereby modified to the effect that the respondents 1 and 2 shall pay a sum of Rs.10,000/- each to the petitioner directly, within a period of four weeks from the today viz., on or before 22.07.2025, and produce the acknowledgment before the third respondent, failing which the respondents 1 and 2 shall undergo simple imprisonment for a period of three months. If the respondents 1 and 2 failed to pay the fine amount, the third respondent is directed to secure the respondents 1 and 2 to undergo the sentence imposed by this Court.

7. Accordingly, the Criminal Revision Case stands allowed.

24.06.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To

1. The Sessions Judge, Cuddalore Division,
Cuddalore.
2. The Judicial Magistrate No.II, Cuddalore.
3. The Inspector of Police,
Cuddalore N.T.Police Station,
Cuddalore.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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