



Crl.R.C.No.683 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 03.06.2025

CORAM:

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

Crl.R.C.No.683 of 2023

Varadharajan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Central Crime Branch-III,
Egmore,
Chennai – 6600 008.

... Respondent

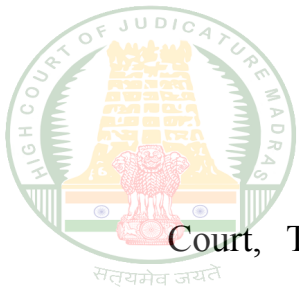
PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of Cr.P.C., praying to set aside the order passed by the learned Judicial Magistrate No.I, Poonamallee, in C.C.No.60 of 2007 dated 14.09.2021 confirmed by the learned III Additional District and Sessions Court, Thiruvallur at Poonamallee, in C.A.No.67 of 2021 dated 23.09.2022.

For Petitioner : Mr.A.P.Sathya Murthy

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

ORDER

This Criminal Revision has been preferred against the judgment dated 23.09.2022 passed by the learned III Additional District and Sessions



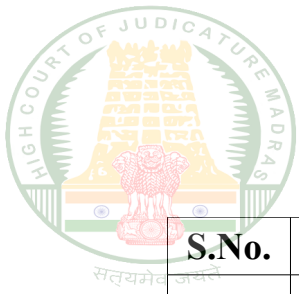
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WEB COURT, Thiruvallur, Poonamallee, in C.A.No.67 of 2021, confirming the conviction and sentence imposed on the petitioner dated 14.09.2021 passed by the learned Judicial Magistrate No.I, Poonamallee in C.C.No.60 of 2007, for the offences punishable under Sections 420, 465, 468 r/w. 471 of IPC.

2. The case of the prosecution is that the petitioner applied for admission in Vels College of Science, Chennai, during the period of 1998-99 by producing forged +2 mark sheet. On production of forged mark sheet, he got admitted in the college and while verifying the mark sheet, it was found that the mark sheet produced by the petitioner was forged one.

3. In order to bring the charges for the offences punishable under Sections 420, 465, 468 r/w. 471 of IPC, the prosecution had examined P.W.1 to P.W.3 and marked documents in Ex.P.1 to Ex.P.6. On the side of the petitioner, no one was examined and no document was marked. On perusal of the oral and documentary evidences, the trial Court found the petitioner guilty for the offences under Sections 420, 465, 468 r/w. 471 of IPC and convicted and sentenced him as follows :-

S.No.	Conviction	Sentence
1.	Section 420 of IPC	to undergo rigorous imprisonment for a period of six (6) months and to pay fine of Rs.2,500/-, in



S.No.	Conviction	Sentence
		default to undergo simple imprisonment for one month.
2.	Section 465 of IPC	to undergo rigorous imprisonment for a period of three (3) months.
3.	Section 468 r/w. 471 of IPC	to undergo rigorous imprisonment for a period of six (6) months and to pay fine of Rs.2,500/-, in default to undergo simple imprisonment for one month.
	The sentences are ordered to run concurrently.	

Aggrieved by the same, the petitioner preferred an appeal and the same was also dismissed by confirming the conviction and sentence imposed by the trial Court. Hence, the present revision case.

4. The learned counsel appearing for the petitioner submitted that the petitioner produced his +2 mark sheet in order to get admission in the college. During the verification of the certificate, it was found that the higher secondary mark sheet produced by the petitioner is forged one. However, the Investigation Officer failed to find out the person who prepared the forged mark sheet for the petitioner. The petitioner was aged about 18 years at the time of production of mark sheet in the college. Though the petitioner was convicted, he prayed to set aside the sentence alone. The FIR has been registered as against so many persons who had produced the forged mark sheet. However, other accused persons admitted their guilty and paid fine. Insofar as the petitioner is



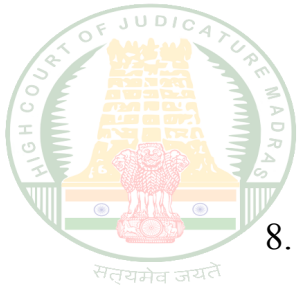
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concerned, the trial Court conducted the trial and he was convicted and sentenced to undergo six months imprisonment.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that prosecution clearly proved the case and the trial Court rightly convicted the petitioner and the same was confirmed by the appellate Court. Therefore, it doesn't warrant any interference by this Court.

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

7. On perusal of records, it is revealed that the petitioner got college admission by producing forged documents. Considering the age of the petitioner at the time of occurrence and also similarly placed accused persons paid fine alone, this Court is inclined to modify the sentence alone. Accordingly, the conviction imposed on the petitioner for the offences under Sections 420, 465, 468 r/w. 471 of IPC is hereby confirmed. However, the sentences are modified to the extent of fine alone.



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8. In the result, this Criminal Revision Case stands partly allowed.

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

rts

To

1. The III Additional District
and Sessions Court,
Thiruvallur, Poonamallee,

2. The Judicial Magistrate No.I,
Poonamallee

3. The Inspector of Police,
Central Crime Branch-III,
Egmore,
Chennai – 6600 008.

4. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J,

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