



CRL MP No. 10496 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL MP No. 10496 of 2025

IN

CRL RC NO. 697 OF 2025

1. Vellamalayan

S/o. Kuppan, Keel Puliyur, Yercaud

Taluk, Salem District.

2. Tamilselvi

D/o. Palanisamy,

Keel Puliyur,

Yercaud Taluk,

Salem District.

Petitioner(s)

Vs

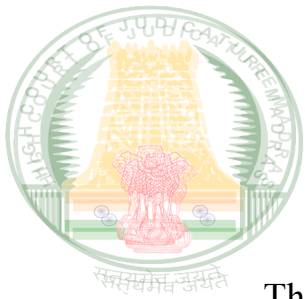
The State Rep by its, Inspector of
Police

Yercaud Police Station, Salem District.

Respondent(s)

For Appellant(s): Mr.B.Gopalakrishnan

For Respondent(s): Mr.A.Gopinath
Government Advocate



ORDER

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This petition has been filed to exempt these petitioners from surrendering in C.C.No.17/2022 before the learned District Munsif cum Judicial Magistrate, Yercaud.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. The petitioners are the accused in the complaint lodged by the respondent for the offence punishable under Section 294(b), 324 and 506(ii) IPC in C.C.No.17 of 2022, on the file of the District Munsif – cum – Judicial Magistrate, Yercaud. After full-fledged trial, the Trial Court convicted the first petitioner for the offence punishable under Section 294(b) IPC and sentenced him to undergo six months simple imprisonment and to undergo 2 years simple imprisonment for the offence punishable under Section 324 IPC. The second petitioner was convicted for the offence punishable under Section 323 IPC and sentenced him to undergo one year Simple Imprisonment. Aggrieved by same, the petitioners preferred an appeal in C.A.No.79 of 2022 on the file of the III Additional District Judge, Salem and the same was dismissed, confirming the



sentence imposed by the Trial Court. Aggrieved by the same, the petitioners preferred a revision before this Court along with this application to exempt them from surrendering before the Trial Court.

4. Both the Trial Court as well as Appellate Court convicted the petitioners for the offence under Section 294(b), 324 and 323 IPC respectively. Without surrendering before the Trial Court, the petitioners filed this petition seeking exemption from surrender. The petitioners have failed to make out a *prima facie* case for granting exemption and this Court is not inclined to entertain this petition seeking exemption from surrendering before the lower court.

5. Accordingly, this Criminal Miscellaneous Petition is dismissed.

10-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Inspector of Police
Yercaud Police Station,
Salem District.

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**G.K.ILANTHIRAIYAN
J.**

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