



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2117 of 2025

AND

CRL MP NO. 19720 OF 2025

1. KUMAR

S/o. Ramakrishnan, Kaman Koil Street,
Vijayakuppam Village, Ulundurpet,
Kallakuruchi District.

Petitioner(s)

Vs

1. The State rep by Inspector of Police
Thirunavalur Police Station,
Thirunavalur, Kallakuruchi District.

Respondent(s)

CRL RC No. 2117 of 2025

PRAYER

To call for the entire records pertaining to the Impugned Judgement dated 31.07.2025 made in CrI.A.No.52 of 2024 on the file of the Additional District and Session Court, Kallakuruchi, whereby the Judgement dated 31.05.2024 passed in C.C.No.193 of 2016 on the file of the JM Court No.II, Ulundurpet was modified and set aside the same.



CRL RC No. 2117 of 2025

For Petitioner(s): M/s.N.Baaskaran
A. Balamurugan
P. Suganthi
P. Suresh Kumar
D. Kunal
R. Karthikeyan

For Respondent(s): Dr.C.E. Pratap
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed to call for the entire records pertaining to the Impugned Judgement dated 31.07.2025 made in Crl.A.No.52 of 2024 on the file of the Additional District and Session Court, Kallakuruchi, whereby the Judgement dated 31.05.2024 passed in C.C.No.193 of 2016 on the file of the Judicial Magistrate Court No.II, Ulundurpet was modified and set aside the same.

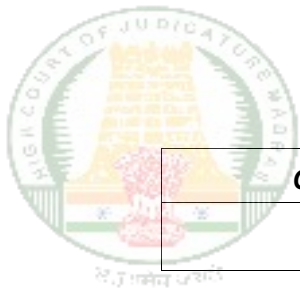
2. The case of the prosecution is that the defacto complainant on 04.01.2016 at 6 p.m., the accused went to the rice shop of one Manikkaraja, where the defacto complainant along with his friends was present at that time, the accused had abused the defacto complainant in obscene language and attacked him with iron pipe and caused simple hurt and also threatened him



with dire consequences. On the complaint lodged by the defacto complainant, the respondent registered FIR in crime No. 08 of 2019 for the offence punishable under Section 294(b), 323, 324 and 506(ii) of IPC. After completion of investigation, the respondent filed final report and the same has been taken cognizance by the trial court in C.C No. 193 of 2016.

3. On the side of the prosecution, they examined PW1 to PW9 and marked Ex.P1 to Ex.P5. No material objects produced on the side of the prosecution. No defence witness was examined. On perusal of oral and documentary evidence, the trial court found the petitioner guilty for the offence under Section 294(b), 323, 324 of IPC convicted and sentenced as follows:

Conviction	Sentence
294(b) IPC	to undergo Simple imprisonment for a period of 7 days and to pay fine of Rs.2,000/-, in default to undergo simple imprisonment for two months.
323 IPC	to undergo Simple imprisonment for a period of 10 days and to pay fine of Rs.3,000/-, in default to undergo simple imprisonment for two months.
324 IPC	to undergo Simple imprisonment for a period of 13 days and to pay fine of Rs.5,000/-, in default to



Conviction	Sentence
	undergo simple imprisonment for two months.

WEB COPY

4. Thereafter, the petitioner filed the appeal before the Additional District and Session Court, Kallakuruchi, in CrI.A.No.52 of 2024. The first appellate court after considering the oral and documentary evidence acquitted the petitioner for the offence under Sections 294 and 323 IPC and convicted and sentenced for the offence under Section 294(b) IPC and 324 IPC as follows:

Conviction	Sentence
294(b) IPC	Imposed a fine of Rs.2,000/-, in default to undergo simple imprisonment for two weeks.
324 IPC	to undergo Simple imprisonment for a period of 13 days and to pay fine of Rs.5,000/-, in default to undergo simple imprisonment for two months.

5. Challenging the Judgement passed by the Additional District and Session Court, Kallakuruchi, the petitioner filed this Criminal Revision Case.

6. The learned counsel for the petitioner submits that the Courts below has failed to consider the fact that due to previous enmity the petitioner has been falsely implicated in this case. Further, the Courts below failed to take note of



the fact that the P.W.1 alleged that the petitioner has attacked P.W.1 with iron pipe but the said iron pipe was neither recovered nor marked as material objection at the time of the Trial and also P.W.2, P.W.2 and P.W.3 are interested witnesses without any independent witness the courts below convicted the petitioner as such is erroneous and liable to be set aside. Hence, he prays to allow this Criminal Revision Case.

7. The learned Government Advocate (Crl. Side) submits that the both the Courts below rightly passed the judgment which needs no interference.

8. Heard the submission of the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

9. Considering the facts and circumstances of the case, both the petitioner and P.W.1 are neighbours due to money dispute there was a wordy quarrel between the parties, due to which the petitioner attacked the P.W.1. The courts below rightly appreciated the evidences and convicted the petitioner which needs no interference. However, the petitioner has no bad antecedents hence this Court is inclined to modify sentence imposed on the petitioner. Accordingly, the petitioner shall serve the sentence of imprisonment till rising of the Court.



WEB COPY

10. In the result, this Criminal Revision Case is disposed of. Pending petition, if any, is closed.

27-10-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Additional District and Session Court, Kallakuruchi
2. The JM Court No.II, Ulundurpet
3. The Inspector of Police
Thirunavalur Police Station,
Thirunavalur,
Kallakuruchi District.
4. The Public Prosecutor, High Court, Madras.
5. The Section officer, V.R Section, High Court, Madras.



WEB COPY

CRL RC No. 2117 of 2025



T.V.THAMILSELVI J.
pbl

**CRL RC No. 2117 of
2025
AND CRL MP NO.
19720 OF 2025**

27-10-2025