



Crl.R.C(MD).No.748 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26.08.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.R.C.(MD).No.748 of 2022

and

Crl.M.P(MD).No.9197 of 2022

1.Senthil @ Senthilmurugan

2.Balamurugan

... Petitioners

Vs.

The State represented by
The Sub Inspector of Police,
Keelathooval Police Station,
Mudukulathur Taluk,
Ramanathapuram District.
(Crime No.62 of 2009)

... Respondent

PRAYER: Criminal Revision case has been filed under Section 397 r/w 401 of Cr.P.C., to set aside the judgment dated 30.11.2020 passed in Crl.A.No.6 of 2020 on the file of the Principal District and Sessions Judge, Ramanathapuram District, confirming their conviction order vide judgment dated 23.01.2020 passed in S.C.No.90 of 2010 on the file of the Assistant Sessions Judge, Mudukulathur, Ramanathapuram District and sentenced to undergo Rigorous



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Imprisonment for the period of six months and to pay Rs.500/- each in default to undergo simple imprisonment for one month for the offence committed under Section 324 r/w 34 of I.P.C., and sentence to undergo Imprisonment for the period of three months and to pay Rs.250/- each in default to undergo for simple imprisonment for one month for the offence committed under Section 342 of IPC.

For Petitioners : Mr.B.Prahalad Ravi

For Respondent : Mrs.M.Aasha
Government Advocate (Criminal Side)

ORDER

This Criminal Revision Case has been filed to set aside the judgment dated 30.11.2020, passed in Crl.A.No.6 of 2020, on the file of the Principal District and Sessions Judge, Ramanathapuram District, confirming their conviction order vide judgment dated 23.01.2020 passed in S.C.No.90 of 2010 on the file of the Assistant Sessions Judge, Mudukulathur, Ramanathapuram District.

2.The accused in S.C.No.90 of 2010, on the file of the Assistant Sessions Judge, Mudukulathur, Ramanathapuram have filed this Criminal Appeal



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challenging the following conviction and sentence imposed on them by the impugned judgment dated 23.01.2020 in S.C.No.90 of 2010:

<i>Sl. No</i>	<i>Accused No.</i>	<i>Offence Punishable under Section</i>	<i>Sentence of Imprisonment and fine</i>
1	A2 and A3	324 r/w 34 of IPC	6 months of Rigorous Imprisonment and to pay a fine of Rs.500/-, in default, to undergo 1 month Rigorous imprisonment.
2	A1 to A10	342 of IPC	3 months of Rigorous Imprisonment and to pay a fine of Rs.250/-, in default, to undergo 1 month Rigorous imprisonment.

3.On 29.07.2009 at about 1.15 a.m., near the Sathanoor water tank, while P.W.1 Sankar, along with his mother (P.W.2 Kala) and cousin (P.W.9 Ajithkumar), was returning from the Mariamman Temple festival, the accused suddenly darted and attacked P.W.1 with the intention to kill him. They stabbed him on the left side of his chest (the blow slipped, causing injury near the left armpit) and again stabbed him on the right thigh, resulting in grievous injuries. The *defacto* complainant has given a complaint for the said occurrence to the respondent. The respondent Police registered a case in Crime No.62 of 2009 against the petitioners, for the alleged offences punishable under Sections 342, 324 r/w 34 of IPC.



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4. After conducting investigation, the respondent police filed final report before the learned Judicial Magistrate, Mudukulathur and the learned Judicial Magistrate, took the same on file in P.R.C.No.51 of 2009 and furnished the copies as per Section 207 Cr.P.C., and committed the case to the Court of Sessions on the ground that the same was exclusively triable by Sessions Court. After committal, the learned Assistant Sessions Judge, Mudukulathur took the same on file in S.C.No.90 of 2010. The learned trial Judge, framed the necessary charges, read over the same to all the accused and they pleaded not guilty and claimed to be tried.

5. The prosecution, in order to prove its case, had examined 15 witnesses as P.W.1 to P.W.15 and exhibited 11 documents as Ex.P.1 to Ex.P.11 and M.O.1 to M.O.3 were marked. On the side of the appellants neither witnesses were examined nor documents were marked.

6. The learned Trial Judge after completion of the examination of the prosecution witnesses questioned the petitioners under Section 313 of Cr.P.C., by putting incriminating materials available against them in the prosecution



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evidence and the petitioners denied them as false. The learned trial judge, after considering the same, convicted the petitioners as stated above.

7. Aggrieved over the same, the petitioners filed the Criminal Appeal in C.A.No.06 of 2020 on the file of the learned Principal District and Sessions Judge, Ramanathapuram District. The learned Appellate Judge also confirmed the same. Hence, the petitioner preferred this revision before this Court.

8. Today (26.08.2025), when the matter was taken up for hearing, both counsel on record would submit that they have already filed a joint compromise memo, which is extracted here under :-

MEMO OF COMPROMISE

The petitioners submit that the petitioners and the defacto complainant have entered into compromise and accordingly the defacto complainant is not pressing the above complaint made against the petitioners and thus the petitioners have prayed that the sentence namely conviction order passed in S.C.No.90 of 2010 on the file of the Assistant Sessions Judge, Mudukulathur, Ramanathapuram District dated 23.10.2020 thereby sentenced them to undergo Rigorous Imprisonment for the period of six months and payment of fine of Rs.500/- as confirmed in Crl.A.No.6 of 2020 on the file of the Principal District Judge and Sessions Judge,



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Ramanathapuram District while the judgment dated 30.11.2020.

Since, the occurrence was committed owing to the wordy quarrel between the petitioners and the Defacto complainant and also in a retaliation of defacto complainant in order to bring a peace and also lead harmonious relationship with the petitioners as they belonged to the same village both the parties have decided to compromise the matter. The defacto complainant and the petitioners have appeared before this Hon'ble Court to express their willingness for the compromise of the matter and the same may be recorded by this Hon'ble Court.

Hence, this Hon'ble Court may be pleased to record the Compromise taken place between the Petitioners and the Defacto complainant and set aside the conviction order laying against the petitioners and thus render justice.

9. The contents of the above compromise memo are read over and explained to both the parties and they would admit the same. The compromise memo filed by both the parties is recorded.

10. In view of the compromise entered between the parties, the offence under Sections 342, 324 r/w 34 of IPC are allowed to be compounded.

11. Accordingly, the conviction and sentence imposed by the learned



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Assistant Sessions Judge, Mudukulathur, Ramanathapuram District in S.C.No.90 of 2010 dated 23.01.2020, and confirmed by learned Principal District and Sessions Judge, Ramanathapuram District in Criminal Appeal No.6 of 2020 dated 30.11.2020, is hereby set aside and the Criminal Revision Case is allowed. The accused are acquitted from the charges levelled against them. Bail bond if any, executed by the accused shall stand discharged. Consequently, the connected miscellaneous petition is closed.

26.08.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
sbm

To

- 1.The Assistant Sessions Judge,
Mudukulathur, Ramanathapuram District.
- 2.The Principal District and Sessions Judge,
Ramanathapuram District.
- 3.The Section Officer,
Record Section (Criminal),
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

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