



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

**CRL RC No. 405 of 2019
and Crl.M.P.Nos.6410 & 6411 of 2019**

1. Deepa

W/o.Balamurugan, No.95th Cross,
Narayanan Nagar, Salem

Petitioner(s)

Vs

1. The Sub Inspector Of Police
District Crime Branch, Salem

Respondent(s)

PRAYER

To set aside the judgment passed in Crl.A.No.77 of 2017 dated 30.01.2019 by the III Additional Sessions Court, Salem confirming the judgment passed in CC No.151 of 2010 dated 14.06.2017 by the Judicial Magistrate court, Omalur.

For Petitioner(s): M/s.S.B.Viswanathan
K.Venugopal
E.Muthunarayanamoorthy

For Respondent(s): Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case had been filed against the Judgment dated 30.01.2019 passed in Crl.A.No.77 of 2017 by the learned III Additional Sessions Judge, Salem, thereby dismissing the Appeal and confirming the Judgment of the learned Judicial Magistrate, Omalur in C.C.No.151 of 2010, dated 14.06.2017.



2. There are totally 11 accused persons in Crime No.13 of 2009 on the file of the respondent police and the petitioner herein is accused No.9. All the accused persons have been convicted by the learned Judicial Magistrate, Omalur, Salem, in C.C.No.151 of 2010 by the judgment dated 14.06.2017 and sentenced to undergo two years imprisonment for the offence under Section 120(b); to undergo one year imprisonment for the offence under Section 465; to undergo three years imprisonment for the offence under Section 468 and to pay fine of Rs.2,000/- each, in default to undergo two months imprisonment; to undergo one year imprisonment for the offence under Section 471 and to pay fine of Rs.2000/- each, in default to undergo two months imprisonment; to undergo three months imprisonment for the offence under Section 420 and to pay fine of Rs.2,000/- each, in default to undergo two months imprisonment. All the sentence have to be undergone concurrently.

3. Challenging the said judgment dated 14.06.2017 in C.C.No.151 of 2010, accused persons 1 to 8 & 10 have preferred an appeal before the III Additional Sessions Judge, Salem, in Crl.A.No.76 of 2017. The III Additional Sessions Judge, Salem, by judgment dated 30.01.2019, confirmed the judgment passed in C.C.No.151 of 2010. Challenging the said judgment, the accused persons 1 to 8 & 10 have preferred Crl.R.C.No.591 of 2019 before this Court. This Court by an order dated 29.04.2024, confirmed the judgment in



Crl.A.No.76 of 2017. The operative portion of the order of this Court dated 29.04.2024 in Crl.R.C.No.591 of 2019 is as follows:-

WEB COPY

“5. As per the sentence of imprisonment recorded by the learned Judicial Magistrate, Omalur, the Accused-I to Accused-II were awarded sentence of 2 years imprisonment for the offence under Section 120(b) of IPC; one year imprisonment for the offence under Section 465 of IPC; three years of imprisonment for the offence under Section 468 of IPC; one year imprisonment for the offence under Section 471 of IPC and only 3 months imprisonment for the offences under Section 420 of IPC.

6. Considering the fact that the alleged occurrence is of the year 03.10.2008, the judgment of the learned Judicial Magistrate, Omalur was pronounced on 14.06.2017, the appeal was dismissed on 30.01.2019 confirming the judgment of conviction recorded by the Judicial Magistrate, Omalur and also considering the passage of time, the period of sentence imposed on the Accused-2 to 8 and 10 for the offence under Section 468 of IPC is reduced to one year of imprisonment and for the offence under Section 120(b), the sentence of imprisonment is reduced to one year. The Accused 2 to 8 and 10/Petitioner 2 to 10 are directed to surrender before the learned Judicial Magistrate, Omalur within two weeks from the date of uploading



the copy of the order on this website of this Court.

7. The learned Judicial Magistrate, Omalur is directed to issue warrant of conviction in the light of the modified sentence of imprisonment as per the order of this Court. The period of detention already undergone by the Accused 2 to 8 and 10 shall be set off under Section 428 of Cr.P.C.”

4.The petitioner in this case is accused No.9 and as this case also stands in the same footing as Crl.R.C.No.591 of 2019, the order passed in Crl.R.C.No.591 of 2019 can be applicable here too.

5.Considering the fact that the date of occurrence is on 03.10.2008, the judgment of the learned Judicial Magistrate, Omalur, was pronounced on 14.06.2017, the appeal was dismissed on 30.01.2019 by the learned III Additional Sessions Judge, Salem, confirming the judgment of conviction recorded by the learned Judicial Magistrate, Omalur, and also considering the passage of time, the period of sentence imposed on the accused No.9 for the offence under Section 468 of IPC is reduced to one year of imprisonment and for the offence under Section 120(b), the sentence of imprisonment is reduced to one year. The petitioner / accused No.9 is directed to surrender before the learned Judicial Magistrate, Omalur within two weeks from the date of



uploading a copy of the order on the website of this Court.

WEB COPY

6.The learned Judicial Magistrate, Omalur is directed to issue warrant of conviction in the light of the modified sentence of imprisonment as per the order of this Court. The period of detention already undergone by the Accused No.9 / petitioner herein, shall be set off under Section 428 of Cr.P.C.

7.With the above modification, this Criminal Revision is partly allowed. Consequently, the connected miscellaneous petitions are closed. No costs.

11-03-2026
(1/2)

krk
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
To

1.The Sub Inspector Of Police
District Crime Branch, Salem.

2.The learned Judicial Magistrate,
Judicial Magistrate Court, Omalur.

3.The learned III Additional Sessions Judge, III
Additional Sessions Court, Salem.

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



WEB COPY

CRL RC No. 405 of 2019



G.K.ILANTHIRAIYAN J.

krk

**CRL RC No. 405 of 2019 and
CrI.M.P.Nos.6410 & 6411 of 2019**

**11-03-2026
(1/2)**