

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 739/2019

S. THENMOZHI

Appellant(s)

VERSUS

STATE REP BY INSPECTOR
OF POLICE SPE /CBI /ACB.

Respondent(s)

O R D E R

We have heard the learned senior counsel appearing for the appellant.

This is a case where concurrent judgments were rendered against the appellant and the co-accused persons for the offences punishable under Sections 120-B read with 420, 464, 465, 468, 471 of the Indian Penal Code, 1860.

On merits, we are not inclined to interfere with the impugned order.

The learned senior counsel appearing for the appellant would vehemently contend that either the provisions of the Probation of Offenders Act, 1958 or compounding of the offences can be adopted as accused No.1 is no more and the appellant is a rustic woman, belonging to a down-trodden community, apart from being the wife of accused No.1, who was

the main accused. It is further submitted by the learned counsel appearing for the appellant that the amount due has been paid.

In view of the aforesaid submission, while confirming the conviction, we only modify the sentence by taking into consideration the mitigating circumstances.

In such view of the matter, the sentence imposed by the Trial Court and thereafter confirmed by the High Court stands modified to the effect that the appellant shall remain present before the concerned Trial Court on 26th March, 2025 from 10.30 a.m. onwards and shall be in custody till the rising of the Court.

The appeal stands, allowed in part.

Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[RAJESH BINDAL]

NEW DELHI;
FEBRUARY 20, 2025.

ITEM NO.104

COURT NO.8

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 739/2019

S. THENMOZHI

Appellant(s)

VERSUS

STATE REP BY INSPECTOR OF POLICE SPE /CBI /ACB.

Respondent(s)

IA No. 126315/2017 - EXEMPTION FROM FILING O.T.

IA No. 2599/2018 - INTERVENTION/IMPLEADMENT

IA No. 2597/2018 - PERMISSION TO COMPOUND THE OFFENCE

IA No. 67629/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 20-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE RAJESH BINDAL

For Appellant(s) Mr. M. Sathyanarayanan, Sr. Adv.
Mr. B. Karunakaran, Adv.
Mr. S. Gowthaman, AOR

For Respondent(s) Mr. Arvind Kumar Sharma, AOR
Mr. Mukesh Kumar Maroria, Aor, Adv.
Mr. Rajnish Prasad, Adv.
Mr. Vinayak Sharma, Adv.
Mr. Anuj Srinivas Udupa, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Application for impleadment is allowed.

The appeal stands allowed in part in terms of
the signed order.

Pending application(s), if any, shall stand
disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR

[Signed order is placed on the file]