



ITEM NO.5 (REVISED) SECTION II-C  
COURT NO.5

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 760/2020

(Arising out of impugned final judgment and order dated 28-06-2019 in CRLRC(MD) No. 738/2011 passed by the High Court Of Judicature At Madras At Madurai)

JEYABALAN Petitioner(s)

VERSUS

STATE REPRESENTED BY INSPECTOR OF POLICE Respondent(s)

IA No. 191210/2019 - EXEMPTION FROM FILING O.T.)

Date : 08-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT  
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Rahul Shyam Bhandari, AOR  
Ms. Priya Dharshni G, Adv.  
Mr. Satyam Pathak, Adv.  
Dr. Ratneswar Chakma, Adv.

For Respondent(s)

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

The petitioner was convicted for the offences punishable under Section 304(A) IPC and sentenced to undergo a period of six months. The High Court, by the impugned order, reduced it to three months under Sections 304(A) and 279 IPC.

This Court had while issuing notice required the petitioner to deposit ₹ 1 lakh with the Registry of the Court, a direction which has been complied with.

Dr. Aristotle, learned counsel for the State appears. We have heard counsel for the parties.

What is apparent from the record is that the incident occurred more than 12 years ago; the petitioner is now aged about 71 years. In these circumstances, this Court is of the opinion that a lenient view can be taken. Accordingly, the following directions are issued:

1. The sentence of three months is hereby set aside. Instead, the petitioner is directed to be released on probation for one year, subject to such terms and conditions as the trial court may impose.
2. The amount of ₹ 1 lakh with accrued interest deposited in the Registry shall be transmitted to the Court of Judicial Magistrate, Manapari, Tamil Nadu in the Calender Case No. 45 of 2010. The learned Magistrate shall take steps to ensure that the said amount be disbursed to the legal heirs of the deceased. The concerned police are also directed to cooperate in this case.

The special leave petition is disposed of in the above terms.

Pending applications, if any, are disposed of.

(HARSHITA UPPAL)  
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)  
COURT MASTER (NSH)

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RECORD OF PROCEEDINGS

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