

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1228/2019

(ARISING FROM SLP (CRL) NOS.7170/2019 (Diary No(s). 4741/2018)

B. MUNIRATHINAMMAL

APPELLANT(S)

VERSUS

SUDHA NARASIMHAN

RESPONDENT(S)

O R D E R

1. Delay condoned.
2. Leave granted.
3. Heard learned counsel for the parties.
4. The respondent/accused has not appeared in spite of the service of notice.
5. We have perused the order passed by the Sessions Judge on 20.09.2016. As the accused did not appear before the Court for a long period the appeal was dismissed confirming the judgment of the Trial Court. The High Court, in revision, has acquitted the accused person by placing wrong burden of proof.
6. In the facts and circumstances of the case, we set aside the order passed by the Sessions Judge on 20.09.2016 and the impugned judgment and order passed by the High Court. We restore the criminal appeal to its number and request the Sessions Judge, Tiruvallur to decide the appeal afresh on merits after hearing the parties.
7. The appeal is, accordingly, allowed.

8. Pending applications, if any, shall stand disposed of.

.....J.
[ARUN MISHRA]

.....J.
[M.R. SHAH]

NEW DELHI;
AUGUST 09, 2019.

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 4741/2018

(Arising out of impugned final judgment and order dated 23-02-2017 in CRLRC No. 1698/2016 passed by the High Court of Judicature at Madras)

B. MUNIRATHINAMMAL

PETITIONER(S)

VERSUS

SUDHA NARASIMHAN

RESPONDENT(S)

(FOR ADMISSION and I.R. and
IA No. 32912/2018 - CONDONATION OF DELAY IN FILING)

Date : 09-08-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Narendra Kumar, Adv.
 Mr. V. Balaji, Adv.
 Mr. Asaithambi MSM, Adv.
 Mr. C. Kannan, Adv.
 Ms. Sripradha Krishnan, Adv.
 Ms. Neha Singh, Adv.
 Mr. Rakesh K. Sharma, AOR

For Respondent(s)

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

Delay condoned.

Leave granted.

The appeal is allowed in terms of the signed order.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
COURT MASTER

(Signed order is placed on the file)