



IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO.3045/2023

VINOTH

Appellant(s)

VERSUS

STATE REP BY INSPECTOR OF POLICE

Respondent(s)

O R D E R

The appellant along with other co-accused was charged with offences punishable under Sections 294(b), 341, 506(i), 355 and 326 of the Indian Penal Code, 1860 (hereinafter referred to as 'the IPC'). The case of the prosecution is that PW-1 and his elder brother were having food at the hotel on the date of occurrence i.e. 06.08.2014. At that point of time, appellant No.1 picked up a quarrel with the hotelier.

Incidentally, he also abused PW-1 and PW-2 along with the other accused. In pursuance to the said quarrel, all the accused persons attacked PW-1 and PW-2 and caused injuries. Both the Courts, placing heavy reliance on the evidence of PW-1 and PW-2, convicted the appellant under Sections 294(b), 341, 326, 355 and 506(i) of the IPC. Accordingly, he was sentenced to undergo three years rigorous imprisonment.

Though learned counsel appearing for the appellant strenuously contended that the appellant is entitled for an acquittal in the teeth of the evidence adduced by the eye witnesses, who were also injured, in the form of PW-1 and 2, we are not inclined to do so. The certificate of the Doctor also supports the case of the prosecution. However, the incident being of the year 2014, and the appellant having undergone incarceration for about two years, we are inclined to modify the sentence to the one already undergone.

Accordingly, while confirming the conviction, we modify the sentence to the one already undergone.

The appeal accordingly stands allowed in part.

The bail bond stands discharged.

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

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

.....J.  
[ARAVIND KUMAR]

NEW DELHI;  
AUGUST 29, 2024.

ITEM NO.104

COURT NO.13

SECTION II-C

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Criminal Appeal No(s). 3045/2023

VINOTH

Appellant(s)

VERSUS

STATE REP BY INSPECTOR OF POLICE  
 IA No. 231771/2023 - EX-PARTE BAIL

Respondent(s)

Date : 29-08-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE ARAVIND KUMAR

For Appellant(s) Mr. Raghunatha Sethupathy B, AOR  
 Mr. S. Sabari Bala Pandian, Adv.  
 Mr. Shreehare J, Adv.

For Respondent(s) Mr. D. Kumanan, AOR  
 Ms. Deepa S, Adv.  
 Mr. Sheikh F Kalia, Adv.  
 Mr. Veshal Tyagi, Adv.  
 Mr. Chinmay Anand Panigrahi, Adv.

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

The Court inter alia directed as under:

"Accordingly, while confirming the conviction, we modify the sentence to the one already undergone."

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

The bail bond stands discharged.

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

(ASHA SUNDRIYAL)  
 ASTT. REGISTRAR-cum-PS

(POONAM VAID)  
 COURT MASTER (NSH)

[Signed order is placed on the file]