

ITEM NO.23

COURT NO.7 SECTION IIA
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl)... 2011
CRLMP.NO(s). 22816

(From the judgement and order dated 24/02/2011 in CRLA No.823/2002 of
the HIGH COURT OF MADRAS)

MUTHU & ANR. Petitioner(s)

VERSUS

STATE OF TAMIL NADU Respondent(s)

(With appln(s) for c/delay in filing and refiling the SLP)

Date: 28/11/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s)

Mr. Ravi Shankar Prasad, Sr. Adv.
Mr. Bhupender Yadav, Adv.
Mr. S.S. Shamsbery, Adv.
Mr. G. Karthikeyan, Adv.
Ms. Priyanka Das, Adv.
Mr. R.C. Kohli, Adv.

For Respondent(s)

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

Mr. Ravi Shankar Prasad, senior advocate appearing
for the petitioners, submits that though the conviction of
petitioner No.1 (along with other accused) by the trial
court was under Section 302 read with Section 34 of the
Penal Code, the High Court without any modification of
charges has upheld his conviction under Section 302 not
with the aid of Section 34 but by applying Section 149 of
the Penal Code.

Issue notice.

(N.S.K. Kamesh)
Court Master

(Sneh Bala Mehra)
Court Master