

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 1545 OF 2008

SANKAR

.....

APPELLANT

VERSUS

**STATE REP. BY
INSPECTOR OF POLICE, T.N.**

.....

RESPONDENT

O R D E R

The only argument raised by the learned counsel for the appellant is that the appellant could not have been roped in with the aid of Section 34 of the Indian Penal Code. We find absolutely no merit in this plea. The injuries caused by the appellant are as under:

"4. Two deep cut injuries separated by a small bridge of skin extending from the inner aspect of lower 1/3 of left thigh on circling and running up to the posterior aspect of the knee upto the medial aspect, exposing the severed muscle quadriceps femoris, lateral group of muscles and the fractured lower end of the left femur with communication and running into the knee joint and exposing the chop fracture off upper end of left tibia and severed popliteal nerves and vessels.

5. 3 deep cut injuries one parallel to the other over the medial aspect of right ankle and for each about 10 X 2 X 1 cm exposing the fractured fallo tarsal and meta tarsal bones on the medial aspect and served muscles, tendons, nerves and vessels.

6. A cut injury over the left calf region back of left 5 X 2 X 1 cm."

The very gravity of the injuries caused by the appellant and the way he took up a meat cleaver and caused them clearly shows his common intention with the co-accused whose special leave petition was dismissed at the very initial stage.

We, accordingly, find no merit in the appeal.

Dismissed.

.....J
[HARJIT SINGH BEDI]

.....J
[GYAN SUDHA MISRA]

NEW DELHI
AUGUST 02, 2011.