

Bail Slip

That the Appellant/Accused namely Pramilakumari was directed to released on bail as per order of this court dated 12.09.2013 in and condition relaxed as per order dated 05.02.2014 in MP 1 of 2014 in CrI.A.180/2013.

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

Criminal Appeal No.180 of 2013

Pramilakumari .. Appellant /Accused

- Vs -

State rep by
The Inspector of Police,
C5, Kothavalchavadi Police Station,
Chennai.
(Cr.No.446 of 2006) .. Respondent /Complainant

Prayer:- Appeal is filed under Section 374 of the Code of Criminal Procedure against the judgment passed by the learned VI Additional Sessions Judge, Chennai in S.C.No.382 of 2007 dated 01.03.2013.

For Appellant : Mr.N.R.Elango
SC for Mr.R.Vivekananthan

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

J U D G M E N T

(Judgment of the Court was delivered by S.Nagamuthu, J.)

The appellant - the sole accused in S.C.No.382 of 2007 on the file of the learned VI Additional Sessions Judge, Chennai stood charged for offences under Section 3 r/w Section 25(1-B) and Section 5 r/w Section 27(1) of Arms Act and under Sections 302, 309 and 506(ii) I.P.C. By judgment dated 01.03.2013, the trial Court convicted her under all the charges and sentenced her to undergo imprisonment for life and pay a fine of Rs. 5,000/- in default to undergo rigorous imprisonment for six

months for the offence under Section 302 I.P.C.; to undergo rigorous imprisonment for three months for the offence under Section 309 I.P.C.; to undergo rigorous imprisonment for two years for the offence under Section 506(ii) I.P.C.; to undergo rigorous imprisonment for one year and pay a fine of Rs.1,000/- and in default to undergo rigorous imprisonment for three months for the offence under Section 3 r/w Section 25(1-B) of Arms Act, 1959 and to undergo rigorous imprisonment for three years and pay a fine of Rs.1,000/- in default to undergo rigorous imprisonment for three months for the offence under Section 5 r/w Section 27(1) of Arms Act, 1959. Challenging the said conviction and sentence, the appellant is before this Court with this appeal.

2. The case of the prosecution in brief is as follows:

2.1. The deceased in this case was one Mr.Manickchand. The accused is his wife. P.Ws.4 and 20 are the children of the deceased. The deceased, the accused and P.Ws.4 and 20 were residing in an apartment at No.7, Perumal Mudali Street, Chennai. P.W.1 is the elder brother of the deceased and he was residing in the same apartment in the third floor of the building. P.W.2 is the younger brother and P.W.3 is the mother of the deceased. They were residing in the second floor of the same building. At the time of occurrence, P.W.4 was hardly aged eight years and P.W.20 was around six years of age.

2.2. The deceased was doing business and in course of time, after marriage, the deceased had become a drunkard and he used to beat the accused at her house in drunken state. There were also frequent quarrels between them whenever the accused returned home in drunken state. All most it had become a frequent affair.

2.3. One month prior to the occurrence, unable to bear the torture meted out to her at the hands of the deceased, the accused took both the children and went to her parental home in Rajasthan State. She stayed there for about one month and returned back. 21.10.2006, was a Diwali day and a pooja was arranged commonly by the family members of P.Ws.1, 2 and the deceased. That pooja went up to late in the night on 21.10.2006 and 22.10.2006.

2.4. At around 02.00 p.m. on 22.10.2006, after the pooja was over, P.W.1 along with his wife P.W.5 and his children returned to his house in the third floor of the building and went for sleep. P.W.2 and P.W.3 went to their apartment and slept. The deceased and his children P.Ws.4 and 20 returned to their house. The accused was very much available in the house and they all slept.

2.5. On 22.10.2006, it is alleged that the accused, using

a revolver shot the deceased repeatedly, when he was sitting on the cot in the bedroom. It is further alleged that in an attempt to kill herself, with the same revolver, the accused shot at her chest. The deceased sustained injuries on his head and other parts of the body and fell down and became unconscious. The accused, thereafter, concealed the revolver in the wooden almirah in the house.

2.6. On hearing the bang caused due to shooting, P.Ws.2 and 3 rushed to the house of the deceased, at that time, they found the accused taking her children viz., P.Ws.4 and 20 and proceeded towards the ground floor. P.W.2 rushed into the house and on seeing the deceased with injuries and unconscious, he cried for help. He called P.W.1 by standing on the sit out. P.W.1 himself heard the bang of the shooting and on hearing the alarm raised by P.W.2, immediately rushed to the house of the deceased. He also found the accused going through the downstairs taking the children. P.W.1 went into the house and found the deceased unconscious and struggling for life.

2.7. According to the further case of the prosecution, the occurrence was witnessed by P.Ws.4 and 20. P.Ws.4 to 20 told P.Ws.1 and 2 that it was their mother who shot at the deceased.

2.8. P.W.1 then contacted his friend by name Venkat Rao (P.W.23) and informed him about the occurrence over phone. P.W.23 instructed P.W.1 to take the deceased immediately to Apollo hospital. P.W.25 is a family friend of the deceased. At about the same time, he received a phone call from the accused informing that her husband was critically ill. He also rushed to the house of the deceased. Neither the accused nor the deceased was there, since P.W.1 had already shifted the deceased to the Apollo hospital at Mint, Chennai.

2.9. P.W.16 Dr.Lavanya examined the deceased at 09.15 a.m. on 22.10.2006, she was told by P.W.1 that the deceased had been attacked by an unknown person. The deceased was unconscious. There were injuries on his head, shoulder and other parts of the body. She made entry of everything in the accident register vide Ex.P21 and admitted him in the hospital. Since the bleeding could not be arrested, on her advice, the deceased was taken to the Apollo hospital at Teynampet, so as to get treatment from a neurosurgeon. After admitting the deceased at the Apollo hospital at Mint, P.W.1 along with P.W.23 went to Kothawalchavadi police station (respondent police station) and made a complaint at 10.35 a.m. on 22.10.2006. Though the mother tongue of P.W.1 is Hindi, he know to speak Tamil, but not to write Tamil. Therefore, he narrated the complaint orally in Tamil and the same was reduced to writing by P.W.26. On the said complaint, he

registered a case in Crime No.446 of 2006 under Section 307 I.P.C and Section 3 r/w Section 27 of the Arms Act. Ex.P27 is the F.I.R. Then he forwarded Exs.P1 and P.27 to the Court, which were received by the learned Jurisdictional Magistrate at 07.20 p.m. on 22.10.2006.

2.10. P.W.26, taking up the case for investigation, immediately proceeded to the place of occurrence. In the presence of P.W.7 and another witness, he prepared an observation mahazar and a rough sketch. Then he recovered a bloodstained bed sheet (M.O.7) and a bloodstained Towel (M.O.8) under a mahazar. Then he examined P.Ws.1 to 5, P.Ws.20, and 25 and few others at the place of occurrence. Then he proceeded to Apollo hospital to examine the deceased. Since the deceased was unconscious, he could not examine the deceased. On the request made by him, the learned VI Metropolitan Magistrate, Chennai went to the hospital to record dying declaration. He also could not succeed because the deceased was unconscious.

2.11. On the same day (22.10.2006) at 08.00 p.m. near Perumal Mudali Street, P.W.26 arrested the accused in the presence of P.Ws.6 and 9 (P.W.9 has turned hostile and has not supported the case of the prosecution). On such arrest, the accused gave a voluntary confession in which, she disclosed the place where she had kept the revolver and the ammunition. In pursuance of the same, she took P.W.26 and the witnesses to her house and produced a revolver (M.O.2), fired cartridges numbering five (M.O.3) and misfired cartridges (M.O.5). He recovered these material objects under a mahazar. Then he brought the accused to the police station and kept her in the police lockup.

2.12. The deceased who was undergoing treatment in the Apollo hospital succumbed to the injuries at 10.40 p.m. on the same day. On getting intimation from the hospital, P.W.26 altered the case into one under Section 302 I.P.C. and submitted an alteration report under Ex.P30 to the learned Metropolitan Magistrate.

2.13. On 23.10.2006, for getting treatment for the injury found on the accused, P.W.26 forwarded the accused to the Government Royapettah hospital. P.W.18 Dr.Bhaskar examined her and found an injury above the right side breast. He took swab from the injuries and forwarded the same to the Forensic lab for examination. He gave opinion that the injuries found on the accused would not have been caused by the firearm. Ex.P22 is his report. Then the accused was sent to the learned VIII Metropolitan Magistrate for remand. Accordingly, she was lodged in the prison on 23.10.2006 itself.

2.14. On 24.10.2006, P.W.26 conducted inquest on the body

of the deceased and prepared an inquest report vide Ex.P31. Then he forwarded the body for postmortem. P.W.24, Dr.Santhakumar conducted autopsy on the body of the deceased on 25.10.2006 at 10.10 a.m. He found the following injuries:

"Injuries: 1) An oblique, sutured firearm entry wound, 1.1x0.5x10.1 cm on the molar prominence of the left cheek, 4 cm in front of the Tragus of left ear; on removal of sutures; the wound margins are irregular and inverted; the dark brown abrasion collar on the lower margin of the entry wound is 0.5-0.3 cm in width and on the upper margin of the entry wound is 0.2-0.1 cm in width; On dissection, the track of the wound gradually widens and descends obliquely downwards, forwards and inwards upto the anterior part of the alveolar margin of the left maxilla, at the level of the roots of the left maxillary lateral incisor and the canine teeth; the soft tissues along the track of the wound are bruised; comminuted fracture of the anterior part of the Zygomatic process of the left temporal bone, left Zygomatic bone and the left Maxilla, with the fractured fragments adherent to the surrounding soft tissues; the left maxillary lateral incisor and the canine teeth are avulsed; the deformed spent bullet is recovered from the floor of the track on the left maxilla and measured 1.5x1.2-0.8 cm; the track of the wound measured 10.1 cm.

2) An oblique firearm entry wound 1.5x0.3x2.3 cm on the left temporal region of the scalp; the anterior upper end of the entry wound is 9.5 cm above the outer of left eyebrow and is along its plane; the posterior lower end of the entry wound is 8 cm above the upper end of the left ear lobe; the scalp hair around the entry wound over an area of 6x5 cm are found to have been shaven; the wound margins of the entry wound are irregular and inverted; the dark brown abrasion collar on the posterior upper margin is 0.4-0.3 cm in width and on the anterior lower margin is 0.3-0.1 cm; on dissection: Dark red, scalp deep diffuse bruising of the left temporal region of the scalp; the deformed spent bullet is found embedded in the underlying upper part of the left temporal bone with 0.4 cm long portion of the bullet protruding above the surface of the bone; on removal of the bullet; the deformed spent bullet is 1.5x1.1 cm; an

irregular bony deficiency of 2x1.9-0.5 cm on the outer table of the upper part of the left temporal bone with sharp margins the fractured fragments of the bone are depressed inwards; the upper portion of the bony deficiency is irregular and is 2 cm in width and the lower portion of the bony deficiency is regular and is 0.5 cm in width; on removal of the calvarium: 3x2.5 cm fragmented depressed fracture of the inner table of the left temporal bone underlying the embedded bullet; 1x0.5x0.5 cm laceration on the underlying anterior border portion of the left parietal lobe of the brain; thin film of dark red extradural hemorrhage and subdural hemorrhage and diffuse subarachnoid hemorrhage over the left temporal left frontal and left parietal lobes of the brain; the track of the wound is directed forwards, downwards and inwards and measured 2.3 cm.

3) An oblique firearm wound 1.3x0.3-0.1x2.4 cm on the posteromedial part of left parietal region of the scalp with the inner end abutting the midline of the vertex region of the scalp; the scalp hair around the entry wound over an area of 5x4 cm are found to have been shaven; the wound margins of the entry wound are irregular and inverted; the dark brown abrasion collar on the anterior margin of the entry wound is 0.3-0.2 cm and on the posterior margin is 0.3-0.2 cm; On dissection; dark red scalp deep diffuse bruising of the posterior part of left and right parietal and the upper part of occipital regions of the scalp irregular depressed fracture 2x1.5-0.5 cm on the underlying posteromedial end of left parietal bone and the adjoining part of upper part of the occipital bone; the fractured fragments of the bone are found depressed into the cranial cavity and are adherent in the underlying duramater; the margins of the 2x1.5-0.5 cm bony deficiency on the outer surface are sharp and on the inner surface of the bone the margins of the bony deficiency are bevelled 1.8x0.7 cm tear is found on the underlying dura mater, on removal of the bony fragments adherent to the outer surface of the underlying dura mater the deformed spent bullet is found in the lumen of the underlying posterior part of superior sagittal sinus and it measured 1.5x1.4-0.5 cm with few strands of

hair 2-3.4 cm in length with on end tightly embedded in the deformed basal portion of the spent bullet. On removal of the bullet 0.7 cm tear on the underlying dura mater of the floor of the superior sagittal sinus; on reflection of the dura mater thin film of dark red subdural hemorrhage and diffuse subarachnoid hemorrhage on the right and left cerebral hemisphere; 2x1x0.5-0.3 cm laceration on the inner border of the posterior part of left parietal lobe of the brain; 1.8x0.9x0.3-0.2 cm dark red intra-cerebral hemorrhage in the hypothalamus region of the brain; the track of the wound is directed forwards, downwards and inwards and it measured 2.4 cm.

4) An oblique firearm entry wound 1.8x1-0.5x12.5 cm on the upper part of left side of the back in the supraspinous region of the left scapula; the inner end of the entry wound is 8 cm left lateral to the midline of the back; the wound margins are irregular and inverted; the dark brown abrasion collar is present on the upper, lower and the outer margins only and not on the inner margins; the abrasion collar is 0.2 cm on the upper margin, 0.3-0.2 cm on the lower margin and 0.5 cm on the outer margin; multiple reddish brown punctate tattooing mark abrasions on the skin around the entry wound over an area of 11x9 cm, 11 cm sideways and 9 cm superoinferiorly; on dissection: the wound enters through the subcutaneous soft tissues and muscles obliquely inwards and forwards towards the midline of the back; the deformed spent bullet is found embedded in the left postvertebral muscle tissues in between the left side pedicles of the first and second thoracic vertebrae; the spent bullet measured 1.5x0.7-0.5 cm with the deformed basal portion; the track of the wound gradually widens and is directed forwards, inwards and upwards and measured 12.5 cm.

No other external or internal injuries anywhere in the body."

Ex.P.24 is the postmortem certificate. Exs.P25 and P26 are the analyst reports. He found that there was no exit wound. The bullets recovered from the dead body were sent for chemical examination and that is how the reports under Exs.P25 and P26 were received. He gave final opinion that the death of the deceased was due to the bullet injuries found on the body of the deceased.

2.15. On the request made by P.W.26, the learned Metropolitan Magistrate recorded the statements of P.Ws.2, 3, 4 and 20 under Section 164 Cr.P.C. On 30.10.2006, on the orders of the learned VIII Metropolitan Magistrate, P.W.26 took police custody of the accused for the purpose of interrogation. On 31.10.2006, in the presence of P.W.8 and another witness, the accused gave a statement voluntarily. Then P.W.26 took the accused to her house and in the house search, he recovered a revolver and fired cartridges. Then, on 01.11.2006, he sent back the accused to Court for judicial remand. On 10.11.2006, since P.W.26 was transferred, the investigation was taken over by his successor (P.W.27).

2.16. P.W.27 took up the case for investigation on 13.11.2006. He examined the doctors who treated the accused and the deceased and also the doctor who conducted postmortem on the body of the deceased.

2.17. When the accused was in the Central Prison at Vellore, she was again brought to the Chengalpet Medical College Hospital for treatment. P.W.17 examined her on 30.11.2006 and admitted her as inpatient. On such examination, he found a foreign body on the right lateral aspect of the chest wall. After appropriate surgery under local anesthesia, on 06.12.2006, he removed the foreign body, which appeared like a bullet. He packed it and brought it to Ballistic Department personally. The said object is M.O.10. He discharged the accused after full recovery on 09.12.2006. M.O.10 was also sent for ballistic examination. Through the Court, the revolver (M.O.2) and the other cartridges recovered in connection with the case were all sent for the opinion from the Ballistic expert.

2.18. P.W.15 the Ballistic expert examined all the materials on various dates and he submitted Ex.P14 report. Along with him, yet another Scientific Assistant Grade-I, also joined him in the conduct of the examination. As far as the revolver (M.O.2) is concerned, he gave the following opinion:

"It is a country made smooth bore, six chambered revolver designed to fire 0.32 inch long calibre cartridges; combustion product of smokeless powder were detected in the barrel of the revolver, indicating that it was used for firing before our examination, there is no scientific method to determine the exact time of firing, range of determining test firing experiments were conducted in the revolver, with four 0.32 inch long calibre cartridge from the laboratory stock and the revolver was found to be in working condition."

2.19. In respect of the cartridges he gave opinion that he examined five fired cartridges (M.O.3) and one misfired cartridge (M.O.5). In respect of the same, the following was his opinion:

"The cartridge cases items 7, 8, 10, 11 and 12 and the misfired cartridge, item 9 are of 0.32 inch long calibre; the cartridge cases items 7, 8, 10, 11 and 12 were examined along with the test fired cartridge cases from item 6 under comparison microscope and the characteristics of the firing pin and the breech marks on the test cartridge cases were found to be similar with those marks on the cartridge cases of items 7 and 11; hence he opined that items 7 and 11 were fired from the revolver (M.O.2)."

He further opined that the cartridge cases of items 8, 10 and 12 (the other fired cartridges) and the misfired cartridge (M.O.5) were found to have multiple overlapping firing pin marks and hence they are not suitable for comparison and identification.

2.20. In respect of the fired cartridges (M.O.9) which were allegedly recovered in the house search held on 31.10.2006, the following was his opinion:

"The cartridges in item 13 (M.O.9) are of 0.32 inch long calibre, they can be used for firing in the revolver (M.O.2), subsequent to the range determining test firing experiments the two cartridges from item 13 were subjected to test firing with the revolver (M.O.2) and they misfired, on examination, the firing pin of the above revolver was found jammed."

2.21. During investigation, from the right palm of the accused, left palm of the accused, left firearm unaffected portion of the accused, right firearm unaffected portion of the accused were all taken in filter papers and along with a blank filter paper. They were sent for examination by ballistics expert. P.W.15 examined them and opined that copper and zinc was found in the filter paper containing right palm hand of the accused. Barium, copper and zinc were found in the filter paper containing the left hand palm of the accused. His report in this regard is Ex.P15.

2.22. The foreign metal body recovered from the body of the deceased by means of surgery was sent for ballistic expert's opinion. He opined that from the identifiable characteristics found on the bullets, the same could have been fired from M.O.2 revolver. His report in this regard is

Ex.16.

2.23. The night-wear recovered from the accused was also sent during the course of investigation for ballistic expert's opinion. P.W.15 examined the same on 27.10.2006. He found an irregular hole 0.9 cm x 0.3 cm on the front upper right side of the night-wear and metallic lead was detected by X-Ray Fluorescence Spectrophotometry and by spot tests around the margins of the hole indicating that the hole was caused by the impact and passage of objects made of lead, like lead bullet and lead was not detected on the unaffected portions of the night-wear. The presence of the hole on the front upper right side is consistent with left handed self shooting. His report in this regard is Ex.P17.

2.24. The swabs taken by the doctor at the Royapettah Government Hospital from the external injuries found on the accused was received by P.W.15 for examination. On a through examination, he did not detect gunshot residues on any of the swabs. Ex.P18 is his report.

2.25. On 26.10.2010, P.W.15 received a requisition from the Professor, Department of Forensic Medicine, Stanley Medical College, Chennai to examine a piece of skin with subcutaneous tissue measuring 17 x 17 cm in some clear colourless liquid smelling like formalin. There was a hole measuring 7 mm x 2 mm on it. He also received four bullets recovered from the body of the deceased by the Doctor who conducted autopsy. P.W.15 examined them all and gave opinion that powder tattooing was found around the hole on the tissue item No.1, to the extent of 11 x 14 cm. Range determining test firing experiments on paper targets were conducted at ranges of 0.5, 1, 1.5 and 2 feet with the revolver (M.O.2) and powder tattooing to the extent of 11 x 14 cm similar to that on the tissue in Item No.1 was observed at a muzzle target distance of 1.5 feet and hence the range of fire was about 1.5 feet. The bullet items were of 0.32 inch calibre and on examination of the revolver and these bullets, he gave opinion that these bullets would have been fired from a revolver (M.O.2). Ex.P19 is his report.

2.26. Finally on 12.01.2007, P.W.15 received a requisition from the Dean, Government Vellore Medical College Hospital, Vellore to conduct examination on the bullet recovered from the body of the accused. He gave opinion that the said bullet had been fired from the revolver (M.O.2). Ex.P20 is his report.

2.27. On completing the investigation, P.W.27 obtained sanction for prosecution as required under the Arms Act from the Commissioner of Police, Chennai city under Ex.P41 and finally laid chargesheet against the accused.

3. Based on the above materials, the trial Court framed charges as detailed in the first paragraph of this judgment, which the accused denied. In order to prove the case, on the side of the prosecution, as many as 31 witnesses were examined, 44 documents and 27 material objects were marked.

4.0. Out of the said witnesses, P.Ws.1 and 2 the brothers of the deceased and P.W.3 the mother of the deceased have stated about the frequent quarrels between the accused and the deceased and they have also stated that on hearing the bang due to fire, when they reached the house of the deceased, they found the accused proceeding towards the ground floor of the house holding both the children in her hands.

4.1. P.W.4 has stated that he was sleeping at about 08.00 a.m. along with his sister P.W.20. The accused woke them up and at that time, the deceased was sleeping. He has further stated that the accused thereafter, shot the deceased with a revolver five times. Then, she took P.Ws.4 and 20 towards the ground floor and on entrusting them to one Saroja, she left for police station.

4.2. P.W.20 has stated that prior to the occurrence, when the accused, P.Ws.4 and 20 were in Rajasthan in the house of the brother of the accused, her brother gave a revolver to the accused. When the accused expressed that she did not know to use the revolver. Her brother gave her training to use the revolver. She has further stated that from Rajasthan when they returned to Chennai, the accused had brought the same by concealing the same in the midst of clothes in a suitcase. She has further stated that after Diwali pooja was over, she along with P.W.4 returned to their house. While they were sleeping, by about 08.00 a.m. the accused woke them up and made them to stand near the doors and then she opened the almirah took out the revolver and fired at the deceased repeatedly. She has further stated that she along with P.W.4 begged with the accused not to shoot their father. She has further stated that the accused thereafter shot herself. Then, she concealed the revolver in the almirah in the midst of the clothes. She has further stated that at the time when she used the revolver, the accused was wearing gloves on both her hands and after keeping the revolver in the almirah she removed the gloves from her hands and kept it underneath her jacket. Thus, according to these witnesses, the accused took P.Ws.4 and 20 to the ground floor. Both these witnesses have stated that they have said these facts to P.Ws.1 to 3. P.W.20 has further stated that the accused entrusted P.Ws.4 and 20 to one Saroja and then went to the police station.

4.3. P.W.5 is the wife of P.W.1, who has also stated that she heard the bang of the shooting. When she came down to the house of the accused, she found the deceased with injuries and

struggling for life. P.W.6 has spoken about the arrest of the accused, the disclosure statement allegedly made by her and the consequential recovery of M.O.2 (Revolver), M.O.3 (Fired bullets 5 nos.) and M.O.5 (misfired bullet 1 no.). P.W.7 has spoken about the preparation of the observation mahazar and a rough sketch at the place of occurrence and recovery of bloodstained bed sheet and bloodstained towel from the place of occurrence. P.W.8 has spoken about the house search made by the police in the presence of the accused and the recovery of the fired bullets (M.O.9) was recovered. P.W.9 who was examined to speak about the arrest and the consequential recovery of the material objects has turned hostile. P.W.10 is the police constable who took the dead body from Apollo hospital to the Government Hospital for postmortem. P.W.11 was a Head Constable of C2 Elephant Gate Police Station during the relevant time. According to him, on 22.10.2006, from 06.45 am to 01.00 p.m. during that period, the accused did not turned up to the police station to make any complaint.

4.4. P.W.12 is a scientific expert who has examined the revolver and found that there was no bloodstains on the same. P.W.13 Dr.Chandrasekar has spoken about the treatment given to the deceased and the death of the deceased at 10.40 p.m. on the same day. P.W.14 is a forensic expert who visited the place of occurrence at the request of the Investigating Officer at the first instance and he gave advice for the the recovery of M.Os.7 and 8 from the place of occurrence. P.W.15 the ballistic expert has spoken about the examination conducted by him on the material objects and his final opinion in respect of various facts, about which we have already elaborately narrated herein above.

4.5. P.W.16 has stated that at 09.15 a.m. on the date of occurrence, the deceased was brought to the Apollo hospital at Mint and on examination she found that the deceased had injuries and since the bleeding could not be arrested, she forwarded him to the Apollo hospital at Teynampet. She has further stated that P.W.1 told her that the deceased was attacked by an unknown person. P.W.17 has spoken about the fact that on 30.11.2006, he conducted surgery on the accused and removed a metallic foreign body from her right chest wall and forwarded the same for examination. P.W.18 has stated that on 23.10.2006, when the accused was produced before him for treatment, he examined her and found that there was an injury above the right side breast. His opinion was that it was not a firearm injury. P.W.19, a maidservant at the house of the deceased, has spoken about the frequent quarrel between the accused and the deceased.

4.6. P.W.21 is the photographer who visited the place of occurrence on the request of the Inspector of Police and took photographs (M.Os.11 to 27) at the place of occurrence.

P.W.22 a police constable has stated that she took the accused from the police station on 23.10.2006 to the Royapettah Government Hospital for treatment. P.W.23 a friend of P.W.1 has stated that on receiving phone message from P.W.1 on the day of occurrence, he gave advice to P.W.1 to take the deceased to the Apollo hospital. He has further stated that he rushed to the Apollo hospital and found the deceased unconscious. He also stated that he took P.W.1 to the Kothawalchavadi Police Station, where P.W.1 made a complaint at 10.35 a.m. P.W.24 has spoken about the postmortem conducted on the body of the deceased and the removal of bullets (M.O.4) from the body of the deceased and his final opinion regarding the cause of death. P.W.25 is a family friend of the accused, who has stated that at about the time of occurrence, the accused informed him over phone that her husband was critically ill and immediately he went to the house of the deceased from where he assisted P.W.1 to take the deceased to the hospital.

4.7. P.W.26 is the Inspector of Police of Kothawalchavadi Police Station, who has spoken about the registration of the case, the complaint made by P.W.1 and the investigation done by him. P.W.27 the Inspector of Police who has spoken about the further investigation done by him and his final report. P.W.28 was the then Head Clerk of the learned Jurisdiction Magistrate Court and she forwarded the material objects for chemical examination under the order of the learned Magistrate. P.W.29 has spoken about the sanction order given by the Commissioner of Police, Chennai under the Arms Act for launching prosecution. P.W.31 the Serologist has stated about the examination conducted by him on the clothes and her final opinion.

5. When the above incriminating materials were put to the accused under Section 313 Cr.P.C., she denied the same as false. Her specific defence as stated by her in her statement under Section 313 Cr.P.C. is as follows:

"On 22.10.2006, it was on the day of Diwali, there was a pooja performed at her house, in which her husband, children and one Mohan an employee under the deceased participated. Since she was experiencing menstrual cycle, as per religious customs she did not participate in the said pooja. She has further stated that in that pooja nobody else participated. For about 4-5 years on account of some transactions, there were frequent quarrels between P.W.2 and the deceased. P.W.1 is a patient suffering from high blood pressure and diabetic. P.W.2 did not take care of the family business properly. He was a drunkard. It was only her husband

(the deceased) who looks after the family business. P.W.2 used to demand money from the deceased frequently whenever the deceased refused to part away with money, P.W.2 would fight with him. Thus, P.W.2 had grudges against the deceased. On the day of occurrence, P.W.2 shot the deceased with revolver and when she tried to intercept and to save her husband, he shot her also. Her children P.Ws.4 and 20 were playing in the ground floor and they were not present at the time of occurrence. Immediately, she went to C2 Elephant Gate Police Station and made a complaint in respect of the same. Oral complaint made by her was reduced into writing and her signature was obtained in the same. She was made to be in the police station till 11.00 a.m. Thereafter, she was taken to C5 Kothawalchavadi Police Station. When she was so taken to Kothawalchavadi Police Station, she found P.W.2 in the police lockup. P.W.2 told that he would take revenge by making out a false case against the accused."

However, she did not choose to examine any witness on her side. She marked Ex.D1 the requisition of the Inspector of Police to Forensic Department dated 26.10.2006 as a defence document. Having considered all the above, the trial Court convicted her as detailed in the first paragraph of this judgment and that is how, she is before this Court with this appeal.

6. We have heard the learned senior counsel Mr.N.R.Elango appearing for the appellant and the learned Additional Public Prosecutor Mr.M.Maharaja appearing for the State and we have also perused the records carefully.

7. There is no controversy in this case that the occurrence was at around 08.00 a.m. on 22.10.2006. There is also no controversy that the accused and the deceased were in the house of the deceased at the time of occurrence. It is also not in dispute that on hearing the bang due to firing, P.Ws.1 to 3 were attracted towards the place of occurrence and they found the deceased lying on the cot with bleeding injuries. He was immediately taken to the hospital and despite treatment, on the same day at 10.40 p.m. he died. From the medical evidence, it has been clearly established that the death was due to the gun shot injuries and this is not at all disputed. Above all, we do not find any reason to reject the evidence of P.W.24 who conducted autopsy on the body of the deceased. Thus, we conclude that the prosecution has succeeded in establishing that the death of the deceased was on account of the bullet injuries, which was caused on him

at around 08.00 a.m. on 22.10.2006.

8. The doctor, who conducted autopsy on the body of the deceased had removed three bullets from the body, which were imbedded. The said bullets were examined by P.W.15, the ballistic expert and he compared the same with M.O.2 revolver. He has given opinion that these bullets had been fired only from M.O.2 revolver as there were breech marks, which were so peculiar in all the bullets. According to him, in M.O.2, there was a screw in the barrel which was slightly protruding into the barrel which had caused the identical crash in all the bullets. During test firing also, in the bullets which were fired, such marking was found. Thus, it has been clearly established by the prosecution that the bullets found on the body of the deceased were fired only from M.O.2 revolver.

9. Similarly, a metallic foreign body was recovered from the right chest wall of the accused by means of surgery by P.W.17 at Chengalput Medical College hospital. That was sent for examination by P.W.17. P.W.15 after thorough examination has found that the same had been fired from M.O.2 revolver. He has given elaborate reasons for coming to such a conclusion. The conclusion of P.W.15 has not been challenged by the learned senior counsel appearing for the accused. Thus, it has been clearly established by the prosecution that the injury found above the right side breast of the accused was also caused by a bullet fired from M.O.2.

10. The crucial question now is as to who fired these bullets from M.O.2 and caused injuries on the deceased as well as on the accused. In order to prove that it was this accused who fired M.O.2 against the deceased as well as against herself, the prosecution relies both on the eyewitness account of P.Ws.4 and 20 and also other circumstantial evidences.

11. Let us now consider the eyewitness account of P.Ws.4 and 20 first. P.Ws.4 and 20 were admittedly child witnesses. Even though P.W.4 was examined under Section 164 Cr.P.C., the learned Magistrate did not administer oath on P.W.4, since he was a child. It is common knowledge that a child witness is prone to tutoring and therefore the evidence of a child witness requires very close scrutiny. Here, in this case, P.W.4 has stated that when he was sleeping along with P.W.20, the accused woke him up as well as P.W.20 and thereafter, in their presence, she shot at the deceased with a revolver. He has not stated that the accused shot against herself. He has also not identified M.O.2 as the revolver, which was used for firing. He has stated that immediately after the occurrence, he told that the accused only shot the deceased. He told P.Ws.1 to 3 and others that it was this accused who shot the deceased with revolver. Had it been true, when P.W.1 informed the doctor (P.W.16), he would have certainly told the doctor

that the injuries were caused by the accused by firing. But instead, he had told the doctor that some unknown person had assaulted the deceased. Though this contradictory statement was brought to the notice of P.W.1, he had not offered any explanation for the same. This creates initial doubt in the veracity of both P.Ws.4 and 20.

12. P.W.4, during cross examination, has further stated that he, along with P.W.20, was actually playing in the ground floor at the time of occurrence. On hearing the alarm raised, she along with P.W.20 went to the third floor to reach their house. When they reached their house, already P.Ws.1 to 3 had arrived. At that time, they found the deceased with injuries and he was dead. He has further stated that his deceased father's soul is now in the body of P.W.2. He has also stated that when he reached his house, his mother was found weeping and she was very much there. The learned Judge who recorded the evidence during trial, has also recorded that while deposing before the Court, P.W.4 was repeatedly weeping and that he insisted that he should be allowed to go with P.W.2 and he even wanted the learned Judge to bring P.W.2 to him. From these answers elicited during cross examination, more particularly his admission that he was not in the third floor of the building at the time of occurrence and he was only in the ground floor playing with P.W.20 and in the light of his evidence that on hearing the bang, he rushed to the house in the third floor, where, he found P.Ws.1 to 3 and from his further evidence, at that time he found the deceased lying with injuries, we are of the view that P.Ws.2, 4 as well as 20 would not have witnessed the occurrence at all.

13. P.W.20 is the younger sister of P.W.4. Since she is also a child witness, her evidence also requires close scrutiny. Her evidence on many material particulars is contradictory to the evidence of P.W.4. In chief examination, P.W.20 has stated that before the occurrence, when she was with the accused in Rajasthan State at her uncle's house, her uncle viz., the brother of the accused, gave a gun to the accused. She has further stated that when the accused expressed that she did not know to use the gun, her uncle gave training to her to shoot. She has further stated that thereafter, when they returned to Chennai, the accused brought the said gun by concealing the same in the midst of clothes in a suitcase. These facts spoken by P.W.20 are only improvements made by her for the first time while under examination she did not say so when she was examined by the police. She was duly contradicted in this regard.

14. Further, when she was called upon to identify the gun, she expressed her inability to identify. We do not, for a moment, going by the young age of the child expect her to speak about the difference between a gun and a revolver. We

only feel had it been true that she had seen the revolver (M.O.2), when it was used for training the accused by her uncle in Rajasthan, had it been true that it was brought to Chennai to the knowledge of P.W.20, had it been true that it was concealed in the wooden almirah at the house to the knowledge of P.W.20, certainly, she would have been in a position to identify the same in Court. But she did not identify M.O.2 at all in Court though she was specifically called upon to identify. Further, these facts, as we have already pointed out, that are all only improvements and therefore no weightage can be given to the same.

15. Now turning to the occurrence, P.W.20 has stated that she was sleeping along with P.W.4 and the accused woke them up. Then she took gloves from the wooden almirah wore the same and then took out the gun and fired against the deceased. She has further stated that before shooting, she made P.Ws.4 and 20 to stand near the door and only in their very presence, she shot at the deceased thereafter. This narration made by P.W.20 is highly unbelievable. Had it been the intention of the accused to kill the deceased by using a firearm, when the children were sleeping, she would have conveniently fired at the deceased without the knowledge of these two children. It would not have been prudent on her part to wake up the children and make them to stand near the door and made them to witness the firing on the deceased by the accused. This version of P.Ws.4 and 20, in our considered view, is highly artificial and the same is highly unbelievable.

16. P.W.20 has further stated that after firing against the deceased, the accused herself fired against her. But this fact has not been spoken by P.W.4. P.W.4 has stated that this accused fired against the deceased and he has not stated that the accused fired against herself. In the evidence of P.W.20, that the accused used a revolver to fire against herself cannot be believed for more than one reason. P.W.15 the ballistics expert evidence assumes importance at this juncture. He had examined the night-wear of the accused, which the accused was wearing at the time of occurrence. He found an irregular hole measuring 0.9 cm x 0.3 cm in the front upper side of the night-wear. metallic lead was detected by X - Ray Fluorescence Spectrophotometry and by spot tests around the margins of the hole indicating that the hole was caused by the impact and passage of objects made of lead, like lead bullet. From the location of the injury and from the direction of the injury and by having a forensic examination of all the other circumstances, he opined in Ex.P17 that presence of the hole on the front upper right side is consistent with left handed self shooting.

17. It is nowhere in the evidence of the prosecution that the accused is a left hander and she used the firearm with

left hand. The possibility of the accused having been shot by someone else cannot be ruled out. Thus, there is a lingering doubt in respect of the case of the prosecution that the accused herself shot against her chest. This also creates doubt in the evidence of P.W.20.

18. In short, applying the test of close scrutiny by keeping in mind that a child is prone to tutoring and considering the admission made by P.Ws.4 as well as 20, that they were under the full care and custody of P.W.2 and in the light of the admission made by them that they would say anything as stated by P.W.2, in our considered view, their evidences are highly doubtful and they cannot be relied on at all.

19. If the eye witness account of P.Ws.4 and 20 is rejected, then the prosecution may have to rely only on other circumstances. The first circumstance is that the accused was present at the time of occurrence and her conduct in leaving the place of occurrence immediately after the occurrence. It is argued by the learned Additional Public Prosecutor that had it been true that she was innocent, she would not have left the place of occurrence without attending on her husband. This conduct of the accused has been explained by her. According to her, P.W.2 came and shot at the deceased and also her. P.W.4, the child, has stated that when he rushed to the house of the deceased, the accused was still available there weeping. It is only P.Ws.1 to 3, who did not have good relationship with the accused, have stated that the accused left the place of occurrence immediately after the occurrence without attending on the deceased. In the light of the evidence of P.W.4, that when he reached the place of occurrence, P.Ws.1 to 3 had already come, the accused was still at the place of occurrence weeping. It is crystal clear that there is no truth in the evidence of P.Ws.1 to 3 that the accused fled away from the scene of occurrence.

20. P.W.20 has stated that after the deceased was taken to the hospital, the accused took them to one Saroja, entrusted them to Mrs.Saroja and went to the police station. We do not find any reason to reject this part of the evidence of P.W.20. This evidence of P.W.20 is corroborated by the evidence of P.W.25 also. P.W.25, Mr.Raman Lal Tiwari, is admittedly a family friend of the the deceased. According to him, immediately after the occurrence, the accused contacted him over phone and informed him that her husband was critical and immediately he rushed to the place of occurrence and he found the deceased lying with injuries. P.W.23 had also come on the information passed on by P.W.1. All of them immediately rushed the deceased to the hospital. It was only P.Ws.1, 2, 23 and 25 who took the deceased to the hospital. Before going

to the hospital, according to P.W.25, he enquired P.W.1 as to how the deceased had sustained injury and as to what had happened. P.W.25 has further stated, for that query, P.W.1 was not in a position to tell as to how the injury was caused on the deceased Manichand. This evidence of P.W.25 completely goes to falsify the theory that P.Ws.4 and 20 had already informed P.Ws.1 to 3 that the deceased was shot at by the accused.

21. P.W.25 has further stated during cross examination that when he reached the house of the deceased, the accused was present but he did not talk to the accused. It was not as though P.W.25 was a neighbour, as he was residing at Veerasamy street, Purasaiwakkam, Chennai. It is common knowledge that the distance between the place of occurrence and Purasaiwakkam is at least few kilometers. He has stated during cross examination that when he reached the place of occurrence on the information from the accused. He still found the accused at the place of occurrence, but he did not enquire her as to what had happened. This admission of P.W.25 would clearly go to prove that the accused did not flee away from the place of occurrence as stated by P.Ws.1 to 3 and she was very much present.

22. Until the deceased was taken to the hospital, nobody noticed the injuries on the accused. P.W.25 has admitted that the distance between the house of the accused and C2 Elephant Gate Police Station is less than one kilometer. The investigating officer has admitted that the said distance is around half a kilometer. It is the positive case of the accused that immediately after the occurrence and after the deceased was taken to the hospital, she straightaway went to C2 Elephant Gate Police Station to make a complaint. She has further stated that at the police station, she orally made a complaint, which was reduced in writing and her signature was obtained and she was made to sit in the police station till 11.00 a.m. Of course, the accused has not let in any evidence to prove this fact. But this fact stands proved from the evidence of P.W.25. P.W.25 has stated during cross examination as follows:

"I know that the accused had gone to Elephant Gate Police Station. I reached Manichand house on that day at about 08.30 a.m."

In yet another place, he has stated during cross examination as follows:

"On that day at about 10.00 a.m. I went to the Apollo hospital in Teynampet. At about 11.00 a.m. at the Apollo hospital in

Teynampet, I discussed with P.W.1. At that time, P.W.1 was not in a position to tell how the injury was caused to Manichand."

He has further stated as follows:

"On suspicion, police had taken Tharachand (P.W.2). When I asked Chandrapaul (P.W.1) what had happened, he said he did not know how it had happened. Then, I know somebody has caused injuries to Manichand"

23. From these admissions made by P.W.25, the accused has probablised her defence that she had gone to C2 Elephant Gate Police Station and made the complaint. Even P.W.20 has stated that after entrusting P.Ws.4 and 20 to one Saroja, the accused went to the police station and after sometime, she returned to the house of the deceased along with the police. She has further stated that the police who accompanied the accused inspected the place of occurrence and then returned to the police station along with the accused.

24. P.W.23, Mr.Venkat Rao who rushed to the house of the deceased on getting information from P.W.1 and took the deceased to the hospital and then took P.W.1 to the police station, has stated during the cross examination that the Inspector of Police had kept P.W.2 in the police lockup and till the end by keeping him in the police lockup the Inspector of Police examined P.W.2. He has further stated that complaint was made around 10.35 a.m. and within one hour thereafter, the accused was brought to the police station. This admission of P.W.23 would go a long way probabalising the case of the accused that after she made complaint at Elephant Gate Police Station, she was brought to the Kothwalchavadi Police Station within one hour. At that time, P.W.2 was kept in the police lockup like an accused. Thereafter only, she was taken to the house of the deceased as spoken by P.W.20. These evidences cumulatively go to prove that the accused, with injury, had gone to Elephant Gate Police Station which is at a distance of half a kilometer, believing that, it was the police station having jurisdiction. At this juncture, it needs to be mentioned that the accused hails from Rajasthan State and therefore she would not have been very familiar with the locality and the geographic location of the police station concerned. From these evidences, we find it difficult to accept the case of the prosecution that the accused fled away from the place of occurrence. We find from these evidences that the accused had gone to Elephant Gate Police Station immediately after the occurrence and within one hour she was brought to Kothawalchavadi Police Station and thereafter she was taken to the place of occurrence and after inspection, again she was taken back to Kothawalchavadi Police Station.

25. The next important circumstance relied on by the prosecution is the recovery of M.O.2 revolver, M.O.3 fired cartridges and M.O.5 misfired cartridges on the disclosure statement made by the accused. According to the case of the prosecution, at 08.00 p.m. on the date of occurrence, in the presence of P.W.6 and P.W.9, the accused was arrested somewhere near the place of occurrence. P.W.9 has turned hostile and he has not supported the case of the prosecution in any manner.

26. The learned senior counsel for the appellant would submit that in the light of the evidences discussed herein above, that the accused was in the Elephant Gate Police Station immediately after the occurrence and then within one hour, she was brought to Kothawalchavadi Police Station (Jurisdictional Police Station) and thereafter, she was taken to the place of occurrence as spoken by P.W.20, it is difficult to believe that the accused would have been arrested only at 08.00 p.m.

27. The learned senior counsel for the appellant would take us through the evidence of the photographer examined as P.W.21. According to P.W.21, as soon as the registration of the case on the request made by the Investigating Officer, he visited the place of occurrence and took photographs from various angles at the place of occurrence. He has stated that he took a total number of 20 photographs within a span of 15 minutes time. M.Os.11 to 27 were the said photographs. He has admitted that out of the 20 photographs taken, only 17 have been marked as M.Os.11 to 27 and other three photographs could not be marked as there was flash failure and so they were not clear. Thus, M.O.12 the photograph was taken at the place of occurrence at around 11.00 - 11.30 a.m. on the day of occurrence. During cross examination, he has admitted that in M.O.12 photograph the revolver and a cartridges are found. He has further admitted that the revolver and the cartridges were spread all around and that as ordered by the police and then he took photograph of the same and that is how, according to him, in M.O.12 the revolver and the cartridges are found.

28. It is not explained to the Court as to how the revolver and the cartridges could be photographed at around 11.00 - 11.30 a.m. when the case of the prosecution is that they were recovered after the confession was made by the accused at 08.00 p.m., after the arrest of the accused. Thus, M.O.12 the photograph and the evidence of P.W.21 completely falsify the case of the prosecution that M.Os.2, 3 and 5 were all recovered based on the disclosure statement made by the accused. We also hold that there is no truth in the case of the prosecution that the accused was arrested only at 08.00 p.m. and on her disclosure statement, these material objects were recovered.

29. At this juncture, it also needs to be considered that P.W.20 has stated that after the occurrence, the accused concealed the revolver in the midst of clothes in the wooden almirah. If that is true, she would have certainly told the same to P.Ws.1 to 3 and in which case, that would have been recovered immediately. But she did not tell the same to P.Ws.1 to 3. This would also go to prove that the accused would not have been arrested at 08.00 p.m. as it is claimed by the prosecution as she had been in the custody of the police after 08.30 a.m. on the day of occurrence as P.W.25 had seen the accused at the place of occurrence at 08.30 a.m.

30. At this juncture, we need to point out yet another improbability in the case of the prosecution. It is the case of the prosecution that after firing against the deceased, the accused fired against herself in an attempt to kill herself. It is on this premise, a charge under Section 309 I.P.C. has been framed against her. Had it been true that she had the intention to kill herself, nothing would have prevented her from repeating the shot against herself. It is not as though the cartridges were exhausted. According to the case of the prosecution, she was found in the possession of live cartridges and she could have very well used the same and killed herself. It is highly improbable that the accused would have informed the two eyewitness viz., P.Ws.4 and 20 by waking them up and then in their presence she would have shot at the deceased. It is also highly improbable that after having done so, she would have told the children not to tell anybody that she only shot the deceased. If the story projected by the prosecution that the accused ran towards the ground floor of the house with children, is true, the case of the prosecution that the accused attempted to commit suicide cannot be true because such escape from the place of occurrence is inconsistent with the same.

31. As we have already pointed out, it is in evidence that P.W.2 was kept in police lock up like an accused and he was intensively interrogated by the police. If it is true that P.W.1 had already lodged a F.I.R. against the accused, there would have been no necessity or occasion to put P.W.2 in the police lock up as an accused. This only probabilizes the stand of the accused that she made a complaint against P.W.2. that he was the one who shot at her husband. Absolutely, there is no explanation as to why P.W.2 was treated like an accused. This also creates doubt in the case of the prosecution.

32. Yet another doubt in the case of the prosecution is on account of the delay in forwarding the F.I.R. to the Court. Though, it is stated that the F.I.R. was registered at 10.35 a.m. at Kothawalchavadi Police Station, the F.I.R. reached the hands of the learned Magistrate only at 07.20 p.m. It is not as though the Court of the Magistrate is at such a long

distance. It is common knowledge that the distance between Kothawalchavadi Police Station and the Court is only less than three kilometers. Absolutely, there is no explanation for the said delay. The person who took the F.I.R. from the police station and handed over the same to the learned Magistrate has also not been examined. Had it been true that the F.I.R. was registered at 10.35 a.m. as projected by the prosecution, certainly it would not have taken so much of time to hand over the same to the learned Magistrate. This creates a doubt in the very origin of the F.I.R. (vide judgment of the Hon'ble Supreme Court in Thulia Kali Vs State of Tamil Nadu reported in AIR 1973 SC 501).

33. From the foregoing discussions, we are of the view that though the prosecution can be held to have created strong suspicion against the accused, the suspicion, however strong it may be, shall not take the place of proof. There are lot of doubts and improbabilities in the case of the prosecution. Under Article 21 of the Constitution of India, deprivation of life and liberty of an individual can be had only by following the procedure established by law. The said procedure enshrined in Article 21 of the Constitution of India does not permit conviction of an accused on mere surmises or suspicion. The prosecution is expected to prove the guilt of the accused beyond all reasonable doubts. In this case, as we have already pointed out, at the most, it can be said that the prosecution has succeeded in creating a suspicion against the accused and it has miserably failed to prove the case against the accused beyond reasonable doubts. Therefore, the appellant is entitled for acquittal.

34. In the result,

(i) The appeal is allowed and the conviction and sentence imposed on the appellant by the learned VI Additional Sessions Judge, Chennai in S.C.No.382 of 2007 dated 01.03.2013 is set aside and the appellant is acquitted.

(ii) The fine amount, if any paid, shall be refunded to her.

(iii) The bail bond, if any executed, by the appellant / accused, shall stand discharged.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

msh/kk/kmk

To

1. The Metropolitan Magistrate,
No.VIII, George Town, Chennai.

2. Do Thro The Cheif Metropolitan Magistrate,
Egmore, Chennai.

3.The VI Additional Sessions Judge, Chennai.

4.The Superintendent,
Special Prison for Women,
Puzhal, Chennai.

5.The District Collector, Chennai.

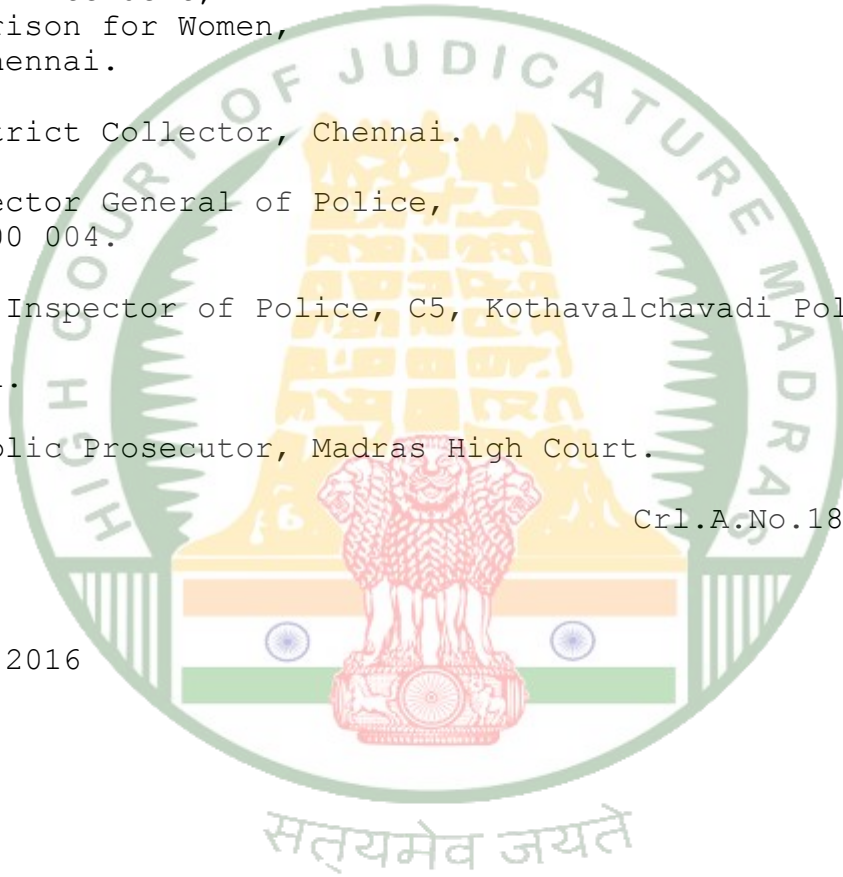
6.The Director General of Police,
Chennai 600 004.

7.The The Inspector of Police, C5, Kothavalchavadi Police
Station,
Chennai.

8. The Public Prosecutor, Madras High Court.

CrI.A.No.180 of 2013

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kra 12.07.2016



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