

BAIL SLIP

The Appellant/Accused namely Zahir Hussain @ Raja S/o.Mohammed Sulthaan was directed to be released on bail as per order of this court dated 05.08.2010 in CrI.MP.No.1 of 2010 in CrI.A.No.465 of 2010 on the file of this Court.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.A.No.465 of 2010

Zahir Hussain @ Raja
Appellant

...

Vs

State by the Inspector of Police,
B-12, Ukkadam Police Station,
Coimbatore.
(Crime No.1207 of 2005)
Respondent

...

Prayer:-

This Criminal Appeal is filed, under Section 374 (2) Cr.P.C., against the judgement of conviction and sentence, dated 23.07.2010, made in SC.No.258 of 2006, by the learned District Judge, Mahila Court, Coimbatore.

For Appellant : Mr.Rajasekar

For Mr.Manoj Sreevalsan

For Respondent : Mr.K.Prabakaran, APP

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JUDGMENT

This Criminal Appeal has been filed against the judgement of conviction and sentence, dated 23.07.2010 made in SC.No.258 of 2006, by the learned District Judge, Mahila Court, Coimbatore, finding the appellant/accused guilty for the offence under Section 498 (A) and 306 IPC and convicting the appellant/accused for the offence under Section 498 (A) IPC to undergo 3 years Rigorous Imprisonment and to pay a fine of Rs.500/- in default

to undergo Rigorous Imprisonment for a period of 6 months and for the offence under Section 306 IPC to undergo 5 years Rigorous Imprisonment and to pay a fine of Rs.500/- in default to undergo Rigorous Imprisonment for a period of 6 months.

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

The appellant/accused and the deceased Sivagami are husband and wife. The appellant/accused and the deceased Sivagami had borrowed an amount of Rs.20,000/- from P.W.1-Vaishnavi on 29.12.2005. P.W.1-Vaishnavi, had gone to the house of the deceased Sivagami and demanded to repay the amount of Rs.20,000/- on the same day. The deceased had informed P.W.1 that she will take her to her in-laws house for return of money and by saying so on the same day the deceased took P.W.1 and her son Pravin Kumar along with her and had gone to the house of appellant/accused at S.S.Koil Street, Kottaimedu, Coimbatore. On reaching there, the deceased had insisted the accused to repay the amount of Rs.20,000/- borrowed P.W.1 and at that time the appellant/accused had abused her in filthy language and ill treated her badly, due to which the deceased was agonized and on the same day at 3.45 p.m., she had committed suicide by consuming cow dung powder. Thereby, the respondent had filed a final report against the appellant/accused for the offences under Section 498 (A), 306 IPC. The final report was filed before the learned District Munsif and Judicial Magistrate-V, Coimbatore, and on appearance of the appellant/accused, copies were furnished to him in compliance of section 207 Cr.P.C., and finding that the case was exclusively triable by the Court of Sessions, the learned Magistrate had committed the case to the learned Principal District and Sessions Judge, Coimbatore. The learned Principal District and Sessions Judge, took cognizance of the case and made over the case to the Mahila Court, Coimbatore for trial.

3.The case was taken on file in S.C.No.258 of 2006, by the Mahila Court, Coimbatore and necessary charges were framed. The appellant/accused had denied the charges and sought to be tried. In order to bring home the charges against the appellant/accused, the prosecution examined PW.1 to PW.16 and also marked Exs.P1 to P16 and on the side of the defence D.W.1 was examined and no documents or material objects were marked on the side of the defence.

4.On completion of the evidence on the side of the prosecution, the appellant/accused was questioned under Section 313 Cr.PC as to the incriminating circumstances found in the evidence of prosecution witnesses and the appellant/accused has come with the version of total denial and stated that he had been falsely implicated in this case.

5.The court below, after hearing the arguments advanced on either side and also looking into the materials available on record, found the accused/appellant guilty and awarded punishments, as referred to above, which is challenged in this Criminal Appeal.

6.This court heard the submissions of the learned counsel on either side.

7.Mr.Rajasekar, learned counsel for the appellant would submit that the evidence adduced on the side of the prosecution has not supported the case to fasten the guilt of the offences under Section 498 (A) and 306 IPC against the appellant/accused. The prosecution has failed to prove its case beyond reasonable doubt.

8.P.W.1-Vaishnavi and P.W.2-Pravin Kumar, are the alleged eyewitnesses to the occurrence who are examined by the prosecution to speak about the appellant/accused having committed cruelty and abetted suicide. Their evidence taken in entirety do not spell out any averment of cruelty and abetment to commit suicide. Further, there is no material to show that the appellant/accused abetted the deceased to commit suicide. He would submit that abetment involves a mental process of instigating or intentionally aiding a person in doing of a thing and when an act on the part of the appellant/accused does not instigate or aid for committing suicide, the conviction cannot be sustained. He would submit that absolutely no evidence has been let in on the side of the prosecution to prove that there was matrimonial cruelty and that in the absence of evidence, the Trial Court had erred in convicting the appellant/accused on presumptions and assumptions. P.W.2-Pravin Kumar, who is son of the deceased and also the appellant/accused had not deposed as if the appellant/accused abetted the deceased to commit suicide. In conclusion he would submit that the prosecution has ultimately failed to prove the charges for offences under Sections 498-A and 306 IPC beyond reasonable doubt.

9.The learned Additional Public Prosecutor would submit that the statements was recorded under Section 164 Cr.P.C from P.Ws.2 to 4 and that though P.Ws.2 and 4 are not the witnesses to the occurrence, they have spoken about the marriage between the deceased and appellant/accused and also the torture and cruelty committed on deceased by the appellant/accused.

10.Per Contra, the learned counsel for the appellant/accused would submit that even assuming that the contents in the statements recorded under Section 164 Cr.P.C to be true do not make out ingredients of Sections 498-A and 306 IPC.

11.The point which arises for consideration is whether the prosecution has proved its case, by letting in cogent evidence and whether the Trial Court was right in convicting the appellant/accused based on the available evidence?

12.While, analysing the evidence of the prosecution:

A) P.W.1-Vaishnavi, is the neighbour of the deceased. She had deposed that the deceased and the appellant/accused are known to her for the past 3 years and that they have got a male child named Pravin and that since they were living close by, she was friendly with the deceased. In order to conduct Valaikappu function of the sister of the appellant/accused, the appellant/accused had borrowed an amount of Rs.20,000/- from P.W.1 and since the money was not returned after 1.1/2 years, P.W.1 had been persisting the deceased to repay the amount. While so, one day the deceased had contacted PW1 over phone and informed her that her husband was in his parental home at Coimbatore and if she accompanies her to Coimbatore, she would get the money from the house and thereby, P.W.1 along with the deceased had gone to the mother's house of the appellant/accused and the mother of the appellant/accused had questioned them as to why they had come to her house and had told them that the appellant/accused was living in his mother-inlaws house and after getting the address, P.W.1 had gone along with deceased and her son to the said house. At the time, the deceased had seen the appellant/accused having lunch and that the second wife of the appellant/accused was also there and when the deceased had questioned him, he had informed his wife/deceased that his parents are not aware of his second marriage. Thereafter, at the request of the appellant/accused she along with deceased and her son went to the mother's house of the appellant/accused and the appellant/accused along with his second wife had come there and there was a quarrel between the deceased and the second wife of the appellant/accused and the mother of the appellant/accused pacified them and that the deceased had caught hold of the shirt collar of the appellant/accused and questioned him as to why he had contracted second marriage. At that time, the mother of the appellant/accused had told her that one week prior to the said date, the victim had created a problem regarding the second marriage and took a decision about the same and what was the reason for her to fight with the appellant/accused again and that there was a quarrel and during that time the appellant/accused had not spoken anything against the deceased. While so, the deceased had left the house and she did not return for some time and P.W.2 had also gone along with his mother and after some time she came back and fell down unconscious. Thereafter, the appellant/accused on the pretext of getting an auto rickshaw to take the victim to hospital, did not return back home and the deceased died in the interregnum and thereafter, P.W.1 had given a complaint to the respondent police

under Ex.P.1 and thereafter she was not aware how the last rites of the deceased was performed. In her cross examination, she had stated that she had not stated anything about the deceased and her son going to the house of the second wife of the appellant/accused. Further, she had not stated about the relatives of the appellant/accused in not taking her to the hospital and further she had admitted that the mother of the appellant/accused had informed her that she was ready to repay the amount on the previous week and that she does not know as to what was the reason for coming to her house and quarrelling again.

B) P.W.2-Master Pravin Suriya, who is the son of the deceased and the appellant/accused had stated that on the particular day he along with P.W.1 and his mother/victim had gone to Kottaimedu, to his father's house and at that time he was playing outside and his mother and P.W.1 had gone upstairs and after some time he had seen his mother lying down unconscious and that he does not know the reason why she had fallen unconscious. He had further deposed that his father had come down from upstairs and lifted his mother and had gone upstairs and that later he came to know his mother has passed away. During his cross examination, he had deposed that he had given statement under Section 164 Cr.P.C., before the learned Magistrate on instructions of his grandmother and grandfather who are P.Ws.3 and 4 respectively.

C) P.W.3-Mani, who is the father of the deceased. He had deposed that his daughter was working in a Bakery at Tiruppur and that she become friendly with the appellant/accused and that they had married without their knowledge and that the marriage was conducted at All Women Police Station, Ooty and that she had married against his wishes and hence, they are not having any connection with her. Thereafter, her daughter and son in law, the appellant/accused were living separately in a house at Tiruppur and that he came to know about the death of his daughter through P.W.1. He had further deposed that he and his wife had given statement before the Magistrate and that his daughter used to visit her mother's house and that the mother of the victim used to give money to her for purchasing household articles. He had further deposed that her daughter had committed suicide on coming to know that her husband has married some other person for the second time.

D) P.W.4-Thilagavathy, who is the wife of P.W.3, had corroborated the evidence of P.W.3. The statement given under Section 164 Cr.P.C., before the Magistrate by P.W.3 is marked as Ex.P.3 and the statement given by P.W.4 is marked as Ex.P.4.

E) P.W.5-Rangadurai, who is the Husband of P.W.1 had deposed about having lent money to deceased and the appellant/accused and that he came to know that his wife and deceased went to Coimbatore, to get back money and that during the time there was a quarrel and the deceased committed suicide.

F) P.W.6-Syed Ibrahim, is the neighbour of the appellant/accused. He had spoken about the quarrel between the appellant/accused and the deceased and that he had seen the deceased lying unconscious and that later, he came to know that the deceased died after consuming cow dung powder.

G) P.W.7-Faisal, who is examined with regard to the observation mahazar, had not supported the case of the prosecution.

H) P.W.8-K.Perumal, is the neighbour of P.W.1. He had spoken about the marriage between the deceased and the appellant/accused and that he came to know that deceased committed suicide thereby he was treated as hostile.

I) P.W.9-Dr.Thiraviyaraj, has conducted post-mortem and he had deposed that conducted the autopsy of the deceased on 30.12.2005, and that he had opined that the deceased died due to Auramine poisoning the chemical report was marked as Ex.P7.

J) P.W.10-Rama Parthiban, is the Judicial Magistrate, who had recorded the statements of P.Ws.2, 3 & 4 under Section 164 Cr.P.C.

K) P.W.11-Ahmed Kabeer, is the witness for arrest and confession of the appellant/accused.

L) P.W.12-Shajahan, is the witness for the observation mahazar. He had deposed that when he had gone near the scene of occurrence, on a particular day, he came to know about the problem with regard to a woman committing suicide due to the second marriage of her husband.

M) P.W.13-Krishnan, had deposed that he was working as Head Constable in B-12 Police Station at the relevant point of time and that he had assisted police in conducting inquest in respect of the case registered by the Sub Inspector of Police and that he had recorded the statement of the Panchayatdars. After inquest, he had taken the body of the deceased to the Government Hospital at Coimbatore and handed over the same to the doctor for conducting post-mortem and after completion of post-mortem, he had handed over the body to the relatives of deceased and thereafter handed over the viscera to the Forensic Lab, Coimbatore for chemical analysis and handed over the analysis report to the police.

N) P.W.14-Velusamy, is the Sub Inspector of Police. He had deposed about having received the complaint from P.W.1 and registered a case in Crime No.107 of 2005, for the offence under Section 174 Cr.P.C., and the printed FIR was marked as Ex.P12. Thereafter, he had sent the original FIR to the Judicial Magistrate Court and handed over the other copies to his higher officials. He had gone to the scene of occurrence along with P.W.13-Head Constable, who conduct investigation and prepared the rough sketch between 4.45 p.m., and 5.30 p.m., and the rough sketch was marked as Ex.P.13, thereafter he conducted inquest on the body of the deceased and prepared Observation Mahazar under Ex.P.11, in the presence of witnesses. Thereafter, examined the

witnesses in the locality and prepared the inquest report under Ex.P.14 and recorded the statement of the witnesses. He sent an intimation to the Government Hospital at Coimbatore under Ex.P.15, and the body of the deceased for conducting postmortem through P.W.13. Thereafter, on 04.01.2006, he had recorded the statement of P.Ws.3 & 4 and based on the evidence of the witnesses, he altered the case from under Section 174 Cr.P.C. to one under Section 306 IPC. Thereafter, in order to find out the reason for the death of the deceased, the documents were sent to the RDO. In his cross examination, he had deposed that when he had examined the witnesses they have not stated to him the reason for harassment of the deceased by the appellant/accused/ and the reason how she was affected and how she had consumed poison. He had further deposed his cross examination that no investigation was done to find out as to where from the deceased had taken poison.

O) P.W.15-Murugasamy, is the Inspector of Police, who conducted further investigation. He had deposed that after the case was altered to under Section 306 Cr.P.C., he had received the express report and examined P.Ws.1 to 5 and thereafter, he had arrested the accused on 05.01.2006, in the presence of witnesses and that the appellant/accused gave a confession statement and thereafter, sent the appellant/accused to remand and that on 22.01.2006, he received opinion from the doctor. Thereafter, he conducted further investigation about the case and taken P.Ws.3 & 4 to the learned Magistrate for recording their statements under Section 164 Cr.P.C., along with a requisition which is marked as Ex.P.16 and handed over the files to the subsequent Inspector who conducted investigation.

P) P.W.16-Ashok Kumar, who is the Inspector of Police. He had deposed that since he was on medical leave, the investigation was conducted by PW15 and thereafter, investigation was conducted by him. He had deposed that all the statements recorded from the witnesses was sent to the Court on 28.02.2006.

13. On the side of the defence, D.W.1- Abdul Rahman was examined and he had deposed that he was originally cited as a witness in the final report. However, he was not examined on the side of the prosecution. Further he had deposed that the uncle of the appellant/accused is his friend and that on 22.12.2005, he had gone to his house to visit the uncle of the appellant/accused who was unwell. He had further deposed that two ladies had come from Tiruppur and that they had demanded Rs.20,000/- from the mother of the appellant/accused stating that they had already given an amount of Rs.20,000/- to the appellant/accused. The mother of the appellant/accused had informed them that when the appellant/accused come back, she would discuss with him and give the money and again on 29.12.2005, he had gone to visit the house of the uncle of the

appellant/accused and it was around 2.30 p.m., to 3.00 p.m., and that the same ladies came back again and they demanded money from the mother of the appellant/accused. At that time, both the ladies have quarrelled with the mother of the appellant/accused and insisted the amount to be paid immediately and thereafter, one among the ladies who was named Sivagami, went out in the stairs and after some time she fell down unconscious and they had seen the cow dung powder in her mouth. Thereafter, they had taken the deceased to upstairs and later the police had come and taken the body of deceased. Further, D.W.1 had stated that he had signed the confession statement given by accused in the police station.

14.The learned counsel for the appellant/accused would submit that the prosecution has projected more than one theory to prove the fact that the deceased had committed suicide. He would further submit that the first theory projected by the prosecution is that the appellant/accused had borrowed a sum of Rs.20,000/- and failed to repay the same to P.W.1 due to which, she had committed suicide. The other theory projected is that without knowledge of the deceased, the appellant/accused had married another lady and on coming to know that the appellant/accused had married another woman, the deceased committed suicide. However, the prosecution has miserably failed to prove both theories regarding the reason for the deceased to commit suicide.

15.The learned Counsel for the appellant/accused in support of his submissions would rely on the following Judgments: (1) Gurucharan Singh Vs State of Punjab, reported in 2017 (1) SCC 433, (2) M.Arjunan Vs. State represented by its Inspector of Police reported in (2019) 3 Supreme Court Cases 315 and (3) Rajesh Vs. State of Haryana reported in 2019 Supreme Court Cases Online SC 44.

16.In Gurucharan Singh Vs State of Punjab, reported in 2017 (1) SCC 433, the Hon'ble Apex Court has held as follows:

21.Section 306 of the Code prescribes the punishment for abetment of suicide and is designed thus:

"Abetment of Suicide - If any person commits suicide, whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine."

22.It is thus manifest that the offence punishable is one of abetment of the commission of suicide by any person, predication existence of a live link or nexus between the two,

abetment being the propelling causative factor. The basic ingredients of this provision are suicidal death and the abetment thereof. To constitute abetment, the intention and involvement of the accused to aid or instigate the commission of suicide is imperative. Any severance or absence of any of these constituents would militate against this indictment. Remoteness of the culpable acts or omissions rooted in the intention of the accused to actualize the suicide would fall short as well of the offence of abetment essential to attract the punitive mandate of Section 306 IPC. Contiguity, continuity, culpability and complicity of the indictable acts or omission are the concomitant indices of abetment. Section 306 IPC, thus criminalises the sustained incitement for suicide.

Section 107 IPC defines abetment and is extracted hereunder:

"107. Abetment of a thing - A person abets the doing of a thing, who - first - Instigates any person to do that thing; or Secondly - Engages with one or more other person or persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of that conspiracy, and in order to the doing of that thing' or Thirdly - Intentionally aids, by any act or illegal omission, the doing of that thing.

Explanation 1 - A person, who by wilful misrepresentation, or by wilful concealment of a fact which he is bound to disclose, voluntarily causes or procures or attempts to cause or procure, a thing to be done, is said to instigate the doing of that doing.

Explanation 2 - Whoever, either prior to or at the time of the commission of an act, does anything in order to facilitate the commission of the act, and thereby facilitate the commission thereof, is said to aid the doing of the act."

23. Not only the acts and omissions defining the offence of abetment singularly or in combination are enumerated therein, the

explanations adequately encompass all conceivable facets of the culpable conduct of the offender relatable thereto.

28. The pith and purport of Section 306 IPC has since been enunciated by this Court in *Rahdhir Singh Vs. State of Punjab* (2004) 13 SCC 129, and the relevant excerpts therefrom are set out hereunder.

"12. Abetment involves a mental process of instigating a person or intentionally aiding that person in doing of a thing. In cases of conspiracy also it would involve that mental process of entering into conspiracy for the doing of that thing. More active role which can be described as instigating or aiding the doing of a thing is required before a person can be said to be abetting the commission of offence under Section 306 IPC.

13. In the *State of West Bengal Vs. Orilal Jaiswal* (1994) 1 SCC 73, this Court has observed that the courts should be extremely careful in assessing the facts and circumstances of each case and the evidence adduced in the trial for the purpose of finding whether the cruelty meted out to the victim had in fact induced her to end the life by committing suicide. If it transpires to the Court that a victim committing suicide was hypersensitive to ordinary petulance, discord and differences in domestic life quite common to the society to which the victim belonged and such petulance, discord and differences were not expected to induce a similarly circumstanced individual in a given society to commit suicide, the conscience of the court should not be satisfied for basing a finding that the accused charged of abetting the offence of suicide should be found guilty."

29. Significantly, this Court underlined by referring to its earlier pronouncement in *Orilal Jaiswal* (Supra) that courts have to be extremely careful in assessing the facts and circumstanced of each case to ascertain as to whether cruelty had been meted out to the victim and that the same had induced the person to end his/her life by committing suicide appears to be hypersensitive to ordinary petulance, discord and differences in domestic life, quite common

to the society to which he or she belonged and such factors were not expected to induce a similarly circumstanced individual to resort to such step, the accused charged with abetment could not be held guilty. The above view was reiterated in Amalendu Pal @ Jhantu Vs. State of West Bengal (2010) 1 SCC 707."

30. That the intention of the legislature is that in order to convict a person under Section 306 IPC, there has to be a clear mens rea to commit an offence and that there ought to be an active or direct act leading the deceased to commit suicide, being left with no option, had been propounded by this Court in S.S.Chheena Vs. Fijay Kumar Mahajan (2010) 12 SCC 190."

17. Further the same view has been taken by the Hon'ble Apex Court in the recent decisions in M.Arjunan Vs. The State Rep. by its Inspector of Police reported in (2019) 3 Supreme Court Cases 315 and Rajesh Vs. State of Haryana reported in 2019 Supreme Court Cases Online SC 44.

18. In M.Arjunan Vs. The State Rep. by its Inspector of Police [cited supra], it has been held as follows:

"8. The essential ingredients of the offence under Section 306 IPC are (i) the abetment: (ii) the intention of the accused to aid or instigate or abet the accused to commit suicide. The act of the accused, however, insulting the deceased by using abusive language will not, by itself, constitute the abetment of suicide. There should be evidence capable of suggesting that the accused intended by such act to instigate the deceased to commit suicide. Unless the ingredients of instigation/abetment to commit suicide are satisfied, accused cannot be convicted under Section 306 IPC."

19. In Rajesh Vs. State of Haryana [referred above], it has been held as follows:

"9. Conviction under Section 306 IPC is not sustainable on the allegation of harassment without there being any positive action proximate to the time of occurrence on the part of the accused, which led or compelled the person to commit suicide. In order to bring a case within the purview of Section 306 IPC, there must be a case of suicide and in the commission of the said offence, the person who

is said to have abetted the commission of suicide must have played an active role by an act of instigation or by doing certain act to facilitate by the person charged with the said offence must be proved and established by the prosecution before he could be convicted under Section 306 IPC.

10. The term instigation under Section 107 IPC has been explained in Chitresh Kumar Chopra Vs. State (Govt. of NCT of Delhi) as follows:

"16. Speaking for the three Judge Bench in Ramesh Kumar case [(2001) 9 SCC 618 : 2002 SCC (Cr1) 1088], R.C.Lahoti, J. (as His Lordship then was) said that instigation is to goad, urge forward, provoke, incite or encourage to do "an act". To satisfy the requirement of "instigation", though it is not necessary that actual words must be used to that effect or what constitutes "instigation" must necessarily and specifically be suggestive of the consequence. Yet a reasonable certainty to incite the consequence must be capable of being spelt out. Where the accused had, by his acts or omission or by a continued course of conduct, created such circumstances that the deceased was left with no other option except to commit suicide, in which case, an "instigation" may have to be inferred. A word uttered in a fit of anger or emotion without intending the consequences to actually follow, cannot be said to be instigation.

17. Thus, to constitute "instigation" a person who instigates another has to provoke, incite, urge or encourage the doing of an act by the other by "goad" or "urging forward". The dictionary meaning of the word "goad" is "a thing that stimulates someone into action; provoke to action or reaction" ; "to keep irritating or annoying somebody until he reacts".

11. Words uttered in a fit of anger or omission without any intention cannot be termed as instigation."

20. I have given my careful and anxious consideration to the rival contentions put forward by either side and thoroughly scanned through the entire evidence available on record and also

perused the impugned judgement of conviction.

21. The Prosecution has projected two theories for the deceased having committed suicide. One is that the Appellant/ accused borrowed money from PW.1 and that he failed to return it and the other being that he had married another lady without the knowledge of the victim deceased and thereby, abetted the suicide of the deceased. While analysing the evidence along with the principles laid down in the decisions cited supra, this Court is of the opinion that the Prosecution has failed to prove the case that the Appellant/ accused abetted the victim committed suicide. Even a reading 164 statements do not make out a case for matrimonial cruelty and abetment of suicide. Ultimately, the Prosecution has failed to prove the case beyond all reasonable doubts. Taking into consideration, the facts of the case along with judgments referred above, this Court is of the opinion that the prosecution has failed to prove the case against the appellant/accused beyond all reasonable doubt as submitted by the learned counsel for the appellant/accused.

22. In the result, this criminal appeal is allowed. The impugned judgement of conviction and sentence passed by the learned District Judge, Mahila Court, Coimbatore in SC.No.258 of 2006, dated 23.07.2010 is set aside. The Appellant is acquitted of the charges levelled against him. The bail bond if any executed by the Appellant shall stand cancelled and the fine amount if any paid by the Appellant shall be refunded to him.

Sd/-
Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To:

1. The Judicial Magistrate No.V,
Coimbatore.
2. The Chief Judicial Magistrate,
Coimbatore.
3. The District Judge, Mahila Court,
Coimbatore.

4. The Inspector of Police, B-12, Ukkadam Police Station,
Coimbatore.
5. The Superintendent, Central Prison,
Coimbatore.
6. The Public Prosecutor,
High Court, Madras.

Crl.A.No.465 of 2010

VSNII (CO)
CS/16/09/2019



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