

CRL.MP.No. 7382 of 2019
in
CRL.A.No. 327 of 2019

P.N. PRAKASH, J.

It is the case of the prosecution that the petitioner, in an inebriated condition, attempted to ravish the victim girl who is said to be mute and mentally-challenged.

2. Mr.R.Marudhachalamurthy, learned counsel appearing for the petitioner submitted that the evidence of the prosecution witnesses suffers from serious infirmity, as there has been a lot of improvement in their evidences.

3. This Court perused the evidence of Chellammal (PW-2), who had seen the occurrence. Chellammal (PW-2), in the evidence has stated that while she was passing through the house of the victim girl, she found a motorcycle standing outside and a pair of slippers outside her house; when she looked inside, she saw the petitioner lying on the cot with the mentally-challenged girl. Unnamalai (PW-3) was along with her; on seeing this,

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they were shocked and when they intervened, they found that
the petitioner was not getting up at all, as he was drunk;
therefore, they called the neighbour-Krishnamma and with her
help, they woke the petitioner; thereafter, the petitioner fled.

4. *Prima facie*, this Court does not find any serious
infirmity in the evidence of this witness. Since there are
prima facie materials on record, this is not a fit case to suspend
the sentence. Hence, this Criminal Miscellaneous Petition is
dismissed.

28.06.2019

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