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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 29.11.2021

DELIVERED ON : 23.12.2021

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRIMINAL APPEAL NO.434 OF 2019

AND

CRL.M.P.NO.14774 OF 2019

Kumar

...Appellant/Sole Accused

vs.

State rep. by
The Deputy Superintendent of Police,
Gobichettipalayam Sub Division,
Erode District.
Crime No.427/2016

...Respondent/Complainant

Criminal Appeal filed under Section 374(2) CrI.P.C. against the judgment dated 22.2.2017 passed in S.C.No.149 of 2016 by the Magalir Neethimandram (Fast Track Mahila Court), Erode.

For Appellant : Mr.T.Muruganantham

For Respondent : Mr.S.Sugendran,
Government Advocate (Crl. Side)

JUDGMENT

The Criminal Appeal has been filed challenging the judgment of conviction and sentence dated 22.2.2017 rendered by the Court of Sessions, Mahalir Neethimandram (FTC), Erode.

2. The conviction and sentence imposed against the appellant are as under:

Offence u/s	Conviction and sentence
498A IPC	3 years rigorous imprisonment & fine of Rs.1000/- in default further period of six months simple imprisonment
306 IPC	10 years rigorous imprisonment & fine of Rs.2000/- in default further period of two years simple imprisonment

The sentences were ordered to be run concurrently.



3. The case of the prosecution is as under:-

(i) The deceased Mahadevi and the accused were working together and they fell in love with each other and got married on 18.11.2010 in Bhagavathi Amman Temple, Gobichettipalayam. After the marriage, they were living with the parents of the accused at Door No.19/7, Ganguwar Street, Modachur, Gobichettipalayam. Out of the wedlock, they have a child aged 4 years named Kaushik.

(ii) The accused had initially gone to work in a Company at Thiruppur and thereafter, he became addicted to alcohol and did not go for work. Therefore, there were frequent wordy quarrels between the husband and wife. Two months prior to the occurrence, the accused frequently consumed alcohol and did not go for work. When it was questioned by the deceased, the accused scolded her and picked up wordy quarrel with her and harassed her. The deceased, unable to tolerate the harassment of the accused, attempted to commit suicide by hanging by locking the door of the room in the house and the accused had climbed the roof, removed the tiles, went into the room and saved the life of the deceased Mahadevi. Even thereafter, the accused continued with his drinking habit and did not go for work. When it was questioned by Mahadevi, there used to be quarrel.

(iii) On 16.6.2016, in the morning hours, the deceased Mahadevi had requested the accused to go for work. Infuriated by that, the accused got angry with Mahadevi and harassed her and had abused her by saying that "you are shouting at me". He had scolded her by saying that since she was alive, she was shouting at him to go for work and if only she really hangs to death like the earlier attempt, he would be peaceful and that he had asked her to die by hanging. Unable to tolerate the harassment, the deceased Mahadevi had decided to commit suicide and in between 10.00 pm on 16.6.2016 and 4.00 am on 17.6.2016, she had committed suicide by hanging with her saree in the cross beam of the house situated at Door No.19/7, Ganguwar Street, Modachur owned by the accused.

(iv) On intimation about the suicide, PW9, Ravikumar, Village Administrative Officer gave a complaint Ex.P9 to the respondent police on 17.6.2016 at 9.00 hours.

(v) Based on the complaint, PW10 registered a case in Crime No.427 of 2016, Ex.P10 under Section 174 Cr.P.C and forwarded copies of the FIR to the Sub Collector, PW7 and to PW16, Deputy Superintendent of Police.



(vi) PW11, Grade I Constable handed over copies of the FIR to the Sub Collector and the Deputy Superintendent of Police.

(vii) PW16, Deputy Superintendent of Police received the FIR and took up the investigation of this case and went to the scene of occurrence at 10.30 am and in the presence of witnesses PW13 and another person, prepared the observation mahazar, Ex.P12 and rough sketch Ex.P15 and recovered Saree M.O.1 which was partly burnt, in the presence of the witnesses and recorded the statement of the witnesses. He also enquired the witnesses PW9-Ravikumar, PW1-Amutha, PW5-Soniya, PW13-Murugan and other witnesses and recorded their statements. On the same day, he also directed the photographer PW3 to take photographs. PW3, took 5 photographs and converted them into a CD, E.P1 series. PW16, thereafter, enquired the witnesses and recorded their statements.

(viii) On 17.6.2016, at 6.00 pm, PW14 woman constable Rukmani, recovered the clothes of the deceased M.O.s 2 to 7 and handed over in the police station. PW16 had seized the same under Form 91 from PW14 and sent them to the Judicial Magistrate on 18.6.2016.

(ix) Meanwhile, on 17.6.2016, PW7, Revenue Divisional Officer received the FIR registered under Section 174(3) Cr.P.C. and on the same day, he went to the scene of occurrence at 2.40 pm and conducted inquest in the presence of panchayatdars including PW3 and thereafter, he had sent intimation Ex.P4 to conduct autopsy and thereafter, he had prepared the enquiry report, Ex.P5 alongwith the statements recorded from the witnesses and thereafter, he had sent the original FIR and the complaint under the covering letter, Ex.P6.

(x) Based on the Report, PW16 altered the case from Section 174 Cr.P.C. to one under Section 498A and 306 IPC and sent the alteration report, Ex.P16 to the Judicial Magistrate and thereafter, on the same day at 4.00 pm, he arrested the accused and sent him to remand. On 21.6.2016, he received the report from PW7 and sent it to the court and he had enquired PW3-Yuvaraja, PW8-Dr.Malini, PW12-Mrs.Subbulakshmi, Pathologist and obtained her report, Ex.P11. Thereafter, PW16, on completion the investigation, filed the charge sheet on 30.8.2016 against the accused for the offence punishable under Section 498A and 306 IPC before Judicial Magistrate I, Gobichettipalayam.

(xi) The case was taken up in P.R.C.No.19/2016, and finding that it is a case exclusively triable by the court of Sessions, the learned Magistrate, after complying with the procedure under Section 207 Cr.P.C, committed the case to the Trial Court and the case was taken up in S.C.No.149 of 2016.



(xii) Charges were explained and after hearing both sides and consideration of the case records, the Trial Court framed charges against the accused for offence punishable under Section 498A and 306 IPC.

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(xiii) When questioned, the accused denied the charges and sought to be tried.

(xiv) In order to substantiate the charge, the prosecution has examined P.Ws.1 to 16 and marked Exs.P1 to P16 and M.O.1 to 7. When the incriminating circumstances were put to the accused under Section 313 Cr.P.C., he denied the charges, however, he had not let in any evidence in defence.

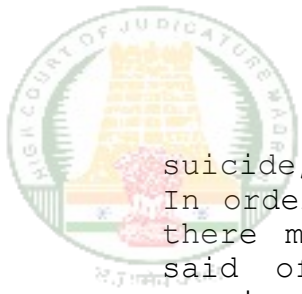
(xv) The Trial Court, relying on the evidence of the prosecution, has found the accused guilty for the offence punishable under Section 498A and 306 IPC and convicted and sentenced him as stated above, aggrieved against which, the present appeal has been filed.

4. Assailing the judgment of conviction and sentence, learned counsel appearing for the appellant would submit the following:-

(i) Admittedly, the marriage between the deceased and the appellant is a love marriage and there was no demand of dowry. Even as per the prosecution, the allegation against the appellant is that he became an alcoholic and he did not go to work and due to that, there used to be quarrel between the husband and wife. Taking into consideration the allegations to be true, they do not make out a case for offence under Section 498A and 306 IPC.

(ii) Further, it is admitted by the mother of the victim that the victim had earlier attempted to commit suicide and it was the appellant, who had saved her and that the appellant was taking care of her daughter and that the quarrel between the victim and the appellant was normal petty quarrels and that it was due to the fact that the appellant was not earning any money. She had further admitted that her daughter was a weak minded person and that she had committed suicide since her husband was not have proper work and income.

(iii) In order to prove the offence under Section 306 IPC, the prosecution has to prove that the accused abetted the victim to commit suicide and that he had necessary mens rea to abet the suicide. The 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 a person to commit



suicide, conviction under Section 306 IPC is not sustainable. 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 the commission of suicide. Therefore, the act of abetment by the person charged with the said offence must be proved and established by the prosecution beyond all doubts before he could be convicted under Section 306 IPC.

(iv) In this case, it is reported that the mother of the victim had stated that the appellant was taking care of her daughter and that her daughter was a weak minded person. Thus, no evidence has been let in by the prosecution to prove that the appellant abetted the suicide. Further, the prosecution has also not proved the offence under section 498A by letting in cogent evidence. Taking into consideration the entire evidence on record, the reason for the victim to commit suicide is that the appellant was addicted to alcoholism and not going to work and not having proper income.

(v) The prosecution has not proved any positive act on the part of the accused in abetting or instigating, provoking or pressurizing the deceased to commit suicide. The usual petty quarrels and wordy quarrels in the family cannot be treated as abetting the suicide.

(vi) In support of his contention, the learned counsel for the appellant has relied on the following decisions:-

- (1) Manikandan v. State ((2016) 4 MLJ (Cr1) 240
- (2) M.Arjunan v. State ((2019) SCC 315
- (3) Gurucharan Singh v. State of Punjab ((2020) 10 SCC 200)

5. The learned counsel for the appellant would submit that right from the conviction on 21.2.2017 the appellant is in confinement and thereby craved for indulgence of this court.

6. Per contra, Mr.S.Sugendran, learned Government Advocate (Criminal Side), would though concede that there is no direct evidence that the accused had abetted the suicide, PW15 the niece of the deceased, who was working in Tiruppur and staying as guest in the house of the accused and the deceased, had deposed that the deceased used to go to work at 5.00 am in the morning and come back at 10.00 pm and everyday, the accused used to come drunk and quarrel with the deceased and that every time, the deceased used to request him not to drink and the accused does not spend any money for the family and that the deceased was feeling very bad and in the meanwhile, she had conceived for the second time and due to her poor economic condition, she had



aborted the child and such evidence clearly establishes the role of the accused in subjecting the victim/deceased to continuous cruelty, which had led her to the extreme step of committing suicide. Further, in this case, the victim had committed suicide within seven years of marriage and thereby statutory presumption under Section 113-A of the Indian Evidence Act is attracted and it operates against the appellant.

7. In reply, Mr. Murugananantham, learned counsel for the appellant would submit that even as per the evidence of PW15, she had stayed with the deceased and the appellant one year prior to the occurrence and she has spoken about the incident which had happened one year earlier and that other than that, no evidence had been let in to bring in the act of the accused for the offence under Section 498A IPC. The presumption under Section 113-A of the Evidence Act, is only permissive and not mandatory and the presumption that suicide was abetted by the husband can, if at all, be drawn only when the prosecution has discharged the initial onus of proving cruelty and in this case, the prosecution has not discharged the initial burden.

8. This court has given its anxious consideration to the rival submissions and perused the materials available on record including the judgment of the Trial Court.

9. The question which has to be decided is whether the prosecution has established the charge against the accused for offence punishable under Section 498A and 306 IPC beyond all reasonable doubts and whether the Trial Court is right in convicting the appellant for the offence as stated above.

10. Before proceeding further to analyse the evidence in this case, this Court feels it appropriate to refer to the relevant provisions and the law regarding "Abetment to suicide". Section 306 IPC reads as under:-

"306 - 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."

Section 107 IPC reads as under:-

"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."

11. In Gurucharan Singh v. State of Punjab ((2020) 10 SCC 200), a three Judges Bench of the Apex Court, referring to Section 107 IPC has held as under:-

"14. The definition quoted above makes it clear that whenever a person instigates or intentionally aids by any act or illegal omission, the doing of a thing, a person can be said to have abetted in doing that thing.

15. As in all crimes, mens rea has to be established. To prove the offence of abetment, as specified under Sec 107 of the IPC, the state of mind to commit a particular crime must be visible, to determine the culpability. In order to prove mens rea, there has to be something on record to establish or show that the appellant herein had a guilty mind and in furtherance of that state of mind, abetted the suicide of the deceased. The ingredient of mens rea cannot be assumed to be ostensibly present but has to be visible and conspicuous. However, what transpires in the present matter is that both the Trial Court as well as the High Court never examined whether appellant had the mens rea for the crime, he is held to have committed. The conviction of Appellant by the Trial Court as well as the High Court on the theory that the woman with two young kids might have committed suicide, possibly because of the harassment faced by her in the matrimonial house, is not at all borne out by the evidence in the case. Testimonies of the PWs do not show that the wife was unhappy because of the appellant and she was forced to take such a step on his account.

16. The necessary ingredients for the offence under section 306 IPC was considered in the case SS Chheena Vs. Vijay Kumar Mahajan (2010) 12 SCC 190 where explaining the concept of abetment, Justice Dalveer Bhandari wrote as under:-

"25. Abetment involves a mental process of instigating a person or intentionally aiding a person in doing of a thing. Without a positive act on the part of the accused to instigate or aid in committing suicide, conviction cannot be sustained. The intention of the legislature and the ratio of the cases decided by this Court is clear that in order to convict a



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person under Section 306 IPC there has to be a clear mens rea to commit the offence. It also requires an active act or direct act which led the deceased to commit suicide seeing no option and that act must have been intended to push the deceased into such a position that he committed suicide."

17. While dealing with a case of abetment of suicide in *Amalendu Pal alias Jhantu vs. State of West Bengal* (2010) 1 SCC 707, Dr. Justice M.K. Sharma writing for the Division Bench explained the parameters of Section 306 IPC in the following terms:

"12. Thus, this Court has consistently taken the view that before holding an accused guilty of an offence under Section 306 IPC, the court must scrupulously examine the facts and circumstances of the case and also assess the evidence adduced before it in order to find out whether the cruelty and harassment meted out to the victim had left the victim with no other alternative but to put an end to her life. It is also to be borne in mind that in cases of alleged abetment of suicide there must be proof of direct or indirect acts of incitement to the commission of suicide. Merely 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, conviction in terms of Section 306 IPC is not sustainable.

13. 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 the commission of suicide. Therefore, the act of abetment 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.

18. In the case *Mangat Ram Vs. State of Haryana* (2014) 12 SCC 595, which again was a case of wife's unnatural death, speaking for the Division Bench, Justice K.S.P. Radhakrishnan rightly observed as under:-



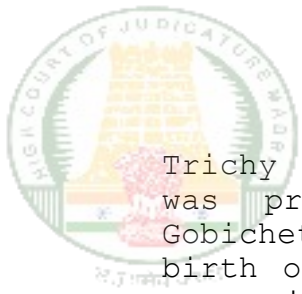
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"24. We find it difficult to comprehend the reasoning of the High Court that "no prudent man is to commit suicide unless abetted to do so". A woman may attempt to commit suicide due to various reasons, such as, depression, financial difficulties, disappointment in love, tired of domestic worries, acute or chronic ailments and so on and need not be due to abetment. The reasoning of the High Court that no prudent man will commit suicide unless abetted to do so by someone else, is a perverse reasoning."

12. Coming to the facts of this case, admittedly, the marriage between the deceased and the appellant is a love marriage. There was no demand of dowry. It is the case of the prosecution that the accused, after the marriage got addicted to alcohol and did not go for any work and was not having any income and thereby, there were frequent quarrels between them and the appellant used to shout at her often. It is the further case of the prosecution that the victim had earlier attempted suicide and the appellant had saved her by going into the house by removing the roof tiles.

13. The case of the prosecution is that due to frequent quarrel between the deceased and the appellant, the deceased took the extreme decision to commit suicide. The prosecution has mainly relied on the evidence of PW15 the niece of the deceased, who was staying with them one year prior to the occurrence. It is her case that her sister used to say that her husband was not going to work and was not giving any money to her and that she conceived and later taking into consideration her poor financial states, she had aborted the baby.

14. Admittedly, to bring home the guilt of the accused, the prosecution has relied on the evidence of PW1 mother of the deceased. PW2 is the sister of the deceased. PW4 is a friend of the deceased. PW15 is the niece of the deceased. Now, taking into consideration the evidence of the mother of the deceased, she had deposed that her daughter, the deceased was working in a Banian Company at Tirupur, staying in a hostel and that she had acquainted with the accused and that five years ago, her daughter had come to her house at Pudukottai and returned to Tirupur and after ten days, her daughter had informed that she had married one Kumar, who was working with her. Since the deceased married without their knowledge, they were not in talking terms for some time and that after some time, her daughter had become pregnant and that she had requested her to delete her name in the ration card and give a certificate. Thereby, her daughter and son-in-law came to



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Trichy and received the certificate. Later, since her daughter was pregnant, she had gone to her daughter's house at Gobichettipalayam and stayed with her and returned and after birth of the child, she alone went to the daughter's house and gave gifts to the child and after some time, her daughter and the accused came to her house and at that time, her daughter had informed that her husband was drinking and was not going to work and that she had asked her to advise her husband and when she had questioned him, her son-in-law told him that he was not getting any job and that he would go to job if he gets one. Thereafter, her elder daughter Malathi had informed her that the deceased had told her that there were frequent quarrels in their house and that the deceased had left the child with her elder sister. It is the further evidence of PW1 that after some time, she took the child to her house and that on the request of the deceased, she had left the child at the house of her daughter and thereafter, she used to speak to her once in ten days and that one day, she was informed that her daughter had committed suicide.

15. However, in cross-examination, PW1 had deposed that her daughter had attempted to commit suicide on an earlier occasion and at that time, the accused and his family members had saved her. Further, she had stated that they had not given any complaint against the accused in respect of his drinking habit because, he was taking good care of her daughter and that the quarrels between them were usual petty quarrels between the husband and wife and that the quarrels were only on account of her son-in-law not having any income. She had also deposed that her daughter was a weak minded person and that since her son-in-law was not having proper job, her daughter had voluntarily committed suicide on her own.

16. PW2 sister of the deceased corroborated the evidence of PW1 and she had stated that the quarrels were only due to the drinking habit of her brother-in-law. She had further deposed that the deceased and the accused had visited her house during 2016 and that they were very happy at that time.

17. PW4 is a friend of the deceased. She had deposed that the deceased used to tell her that her husband used to come drunk everyday and that he was not going to work and that the deceased was finding it difficult to run the family with single income and that she used to consult her and that on 16.6.2016, she had called her at 9.30 pm and informed her that there was a lot of work in the office and that they have to go to work in the early morning on the next day and asked her to call in the morning and when she had called her in the morning, she had not picked up the phone and the accused had picked up the phone and informed her that the deceased had committed suicide. In her



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19. Coming to the evidence of PW15, niece of the deceased, she was staying alongwith the deceased and the accused one year prior to the occurrence and that while she was in their house, there used to be frequent quarrels between the husband and wife and that the accused used to come home everyday and that he was not earning any money and that the deceased was finding it difficult to meet both ends and she had left her first son with her mother and since there were frequent quarrels between them, she had taken a separate room and was living away and thereafter, the deceased used to visit PW15 every Sunday and by that time, she would inform that the accused was frequently picking up quarrels with her and that he was not giving any money to her and that she was four months pregnant and that due to the difficulty in bringing up the first child, she had done an abortion and that later, she came to know about the suicide committed by the deceased.

"Cruelty" under Section 498-A IPC need any wilful conduct which is of such nature as is likely to drive a woman to commit suicide or to cause grave injury or danger to her life or person. Such a wilful conduct should be of such nature as would provoke a person of common prudence to commit suicide. Difference of opinion within a family on everyday mundane matters would not fall within such category."

"43. It is not the wish and willingness nor the desire of the victim to die, it must be the wish of the accused, it is the intention on the part of the accused that the victim should die that matters much. There must be a positive act on the part of the accused. It need not be by words. It may be by deeds. It may be by letters. But, at the same time, the decision of a weak minded or a woman of frail mentality cannot be misunderstood as abetment. For one's foolish act another person cannot be made liable."



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22. In a latest decision in Ude Singh vs. State of Haryana ((2019) 17 SCC 301), a Division Bench of the Apex Court, relying on the verdict of a three Judges Bench in Ramesh Kumar vs. State of Chattisgarh ((2001) 9 SCC 618 to the following effect:-

"20. 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. The present one is not a case 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 been inferred. A word uttered in the fit of anger or emotion without intending the consequences to actually follow cannot be said to be instigation.

has held as under:-

"16. In cases of alleged abetment of suicide, there must be a proof of direct or indirect act/s of incitement to the commission of suicide. It could hardly be disputed that the question of cause of a suicide, particularly in the context of an offence of abetment of suicide, remains a vexed one, involving multifaceted and complex attributes of human behaviour and responses/reactions. In the case of accusation for abetment of suicide, the Court would be looking for cogent and convincing proof of the act/s of incitement to the commission of suicide. In the case of suicide, mere allegation of harassment of the deceased by another person would not suffice unless there be such action on the part of the accused which compels the person to commit suicide; and such an offending action ought to be proximate to the time of occurrence. Whether a person has abetted in the commission of suicide by another or not, could only be gathered from the facts and circumstances of each case.

16.2. We may also observe that human mind could be affected and could react in myriad ways; and impact of one's action on the mind of another carries several imponderables. Similar actions are dealt with differently by different persons;



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and so far a particular person's reaction to any other human's action is concerned, there is no specific theorem or yardstick to estimate or assess the same. Even in regard to the factors related with the question of harassment of a girl, many factors are to be considered like age, personality, upbringing, rural or urban set ups, education etc. Even the response to the ill-action of eve-teasing and its impact on a young girl could also vary for a variety of factors, including those of background, self-confidence and upbringing. Hence, each case is required to be dealt with on its own facts and circumstances. "

23. In *Gurjit Singh v. State of Punjab* ((2020) 14 SCC 264), the Apex Court has held that even if the presumption under Section 113A of the Evidence Act could be drawn, the burden of proof of showing such an offence has been committed by the accused is on the prosecution and the prosecution has to establish beyond reasonable doubt that the accused had instigated, conspired or intentionally aided so as to drive the wife to commit suicide and that the presumption under Section 113-A of the Evidence Act is only permissive and not mandatory.

24. Applying the ratio laid down in the above decisions to the factual aspects of the case on hand, this court finds that the prosecution has not proved beyond all doubts the charges for the offences punishable under Sections 498A and 306 IPC against the appellant by letting any legal and cogent evidence to establish that he had abetted his wife to commit suicide. Therefore, the appellant is entitled to the benefit of doubt and thereby, he is entitled to be acquitted.

25. Accordingly, this Criminal Appeal is allowed and the judgment of conviction and sentence imposed by the Magalir Neethimandram (Fast Track Mahila Court), Erode in S.C.No.149 of 2016 dated 22.2.2017 is set aside. The appellant is acquitted. Bail bond, if any executed by the appellant shall stand cancelled. Fine amount, if any paid, shall be refunded to the appellant. The connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssk.



To

1. The Judicial Magistrate, Mo.I,
Gobichettipalayam.
2. The Chief Judicial Magistrate,
Erode.
3. District Judge,
Sessions Court,
Magalir Neethimandram
(Fast Track Mahila Court),
Erode.
4. The Deputy Superintendent of Police,
Gobichettipalayam Sub Division,
Erode District.
5. The Superintendent,
Central Prison,
Coimbatore.
6. Public Prosecutor,
High Court, Madras.
7. The District Collector,
Erode.
8. The Director General of Police,
Mylapore, Chennai 4

Copy to

The Section Officer,
Criminal Section,
High Court, Madras 104

+1cc to Mr.T.Muruganantham, Advocate, Sr.No.69658

Note:-

- 1) Issue copy of this judgment
by 23.12.2021
- 2) The accused is in jail.
Registry is directed to send copy
of the judgment immediately to
the jail authorities concerned.

Criminal Appeal No.434 of 2019
and
Crl.M.P.No.14774 of 2019

SMI (CO)
KKV/23/12/2021