



BAIL SLIP

That the Appellants/Accused namely Dhanabakkiyam W/o. Late Kaliyaperumal, Janaki W/o. Dakshinamoorthi, Ranganathan S/o. Late Kaliyaperumal, Parimala W/o. Muruganatham, Rajamanickam S/o. Late Maruthai, Kamala W/o. Rajamanickam was released on bail as per order of this court dated 07.09.2021 made in CRL.M.P.No.8950 of 2021 in CRL.A.No.246 of 2012.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON	01.12.2021
PRONOUNCED ON	01.02.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

CRIMINAL APPEAL NO.246 OF 2012

- 1.K.Muruganandam
- 2.Dhanabakkiyam
- 3.Janaki
- 4.Dakshinamoorthi (died)
(Amended as per order in CRL.A.No.246 of 2012 dated 31.01.2022)
- 5.Ranganathan
- 6.Parimala
- 7.Rajamanickam
- 8.Kamala

.. Appellants/
Accused 1, 3 to 6, 8 to 10

Vs.

1.State rep. By
The Deputy Superintendent of Police,
Rasipuram, Rasipuram Police Station,
(Cr.No.966/2002)

2.P.Dhamaiyanthi
(R2 impleaded as per order of this Court dated 16.04.2012 in M.P.No.2 of 2012)

.. Respondent/
complainant



PRAYER: This Criminal Appeal filed under Section 378 Cr.P.C., against the judgement of sentences and fine imposed in S.C.No.196 of 2003 on the file of the Principal Sessions Judge, Namakkal dated 28.03.2012.

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For Appellants : Mr.Kumar Tacrejaa for
M/S C.P.Sasikumar

For Respondents : Mr.A.Gopinath,
Government Advocate for R1

: Mr.R.Sankarasubbu for R2

JUDGMENT

This Criminal Appeal has been filed by the appellants/accused to set aside the judgement of conviction imposed in S.C.No.196/2003 on the file of the learned Principal Sessions Judge, Namakkal, dated 28.03.2012.

2. The Appellants were arrayed as Accused Nos.1, 3 to 6 and 8 to 10 before the trial Court.

3. The first accused was the husband of Dhamayanthi who is the de facto complainant / PW.1, A2 and A3 are the father and mother of the first accused. The second accused died during the pendency of the trial. A4 is the younger mother of A1, A5 was the husband of A4. A5 also died during the pendency of the Appeal. A6 is the elder brother of A1. A7 is the relative of A-1 and who got acquitted. A8 is the second wife of A1 and A9, A10 are the parents of A8.

4. The brief facts of the case are as under:

A1 married the de facto complainant/PW.1 /Dhamayanthi on 05.04.2001 at Rasipuram and their marriage was also registered at the Sub Registrar Office, Rasipuram on 20.04.2001. The complainant /PW.1 is a practising lawyer and she is the resident of Rasipuram. She belongs to Adi Dravidar Scheduled Caste community. A1 is also a practising Advocate in Ariyaloor and he is the resident of Annimangalam. He belongs to Hindu Barkava Kula Mooppanar which is a Back Ward Community. A2 to A10 belong to the same community of A1.

4.1. After the marriage between A-1 and PW1, A1 did not take the de facto complainant/PW.1 /Dhamayanthi to his native place



and she was allowed to live at her parent's house at Rasipuram. Out of their wedlock a male child was born to the de facto complainant on 29.01.2002 and he was named as Tamilamudhan. The name giving ceremony of the child was celebrated on 03.02.2002. A-1 assured PW.1 that he would take her to his parent's house after the name giving ceremony.

4.2. One Prema, a friend of PW.1 had also participated in the name giving ceremony and she was also present at PW.1's house and stayed back in the evening. At 7.00 pm when PW.1 asked A-1 to take herself and the child to his parents house, A-1 told her that only if she brought a dowry of Rs.1,00,000/-, he could convince his parents and take her to their place. Then he alone went to his parents' house and did not return thereafter.

4.3. On 30.06.2002, PW.1 came to know that A-1 married A8/Parimala and A-2 to A-10 had abetted A-1 to commit the offence of bigamy by marrying A-8. After knowing that, PW.1 went with her advocate friends to Annimanagalam, Ariyalur District, which is the native place of A-1. When she questioned A-1 about the second marriage, she was insulted by A-1, his parents and his brother (A-2, A-3 & A-6). They also threatened her that they would do away her life; they also abused her by calling her caste name. Since the situation was bad, PW.1 came back to her place. After one week, A-1 came to PW.1's house and abused her again. He told her that if she could bring Rs.1,00,000/- as dowry, he would continue to live with her. Subsequently, PW.1 gave the complaint (Ex.P.1).

4.4. The complaint was received by the Superintendent of Police, Rasipuram Police Station and he entrusted the complaint to PW.17/Gnanapandithan, for enquiry. On receiving the complaint, PW.17 registered a case in Cr.No.966/2002 of Rasipuram Police Station for the offences under Sec.498(A), 506 (ii) IPC and 494 IPC and Sec.3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4.5. PW.17 took up the case for investigation, went to the place of occurrence [to the house of PW.1] and prepared observation mahazaar and Rough Sketch (Ex.P.22). He enquired some of the witnesses and thereafter he proceeded to Salem on 27.10.2002 and enquired the witnesses Haribabu, Mayan, and Prema and recorded their statements. After completion of his enquiry at Salem he came to Rasipuram and got the Marriage Registration Certificate of A-1 and PW.1 from the Rasipuram Sub Registrar



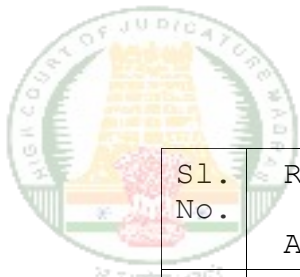
Office. He also got the community certificate (Ex.P.12) of PW.1 from the Tashildar, Rasipuram.

4.6. On 31.10.2002, he went to the house of A-1 at Ariyalur and visited the place of occurrence and prepared the Rough Sketch. He also enquired some of the witnesses there. He recovered the marriage invitation of A1 and A8 (Ex.P.21). He arrested the accused and sent him to the judicial custody. He got the statement of the doctor who attended the delivery for PW.1. After getting the information from A-1, he arrested the rest of the accused. He also visited the marriage hall where the marriage between A-1 and A-8 had taken place and prepared another Rough Sketch. He also got the community certificates of A1, A2, A3, A6 and A7. Despite his efforts, he could not get the community certificates for A8 and A9. After completing his investigation he filed the charge sheet against the accused for the offences under Sec.498(A), 506(II), 352 and 494 IPC and Sec.4 of Dowry Prohibition Act and Sec.3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4.7. After taking the case on file and on being satisfied with the materials available on records, the learned trial Judge framed the charges against A1 for the offences under sec.4 of Dowry Prohibition Act, 498(A) and 494 IPC, against the accused A3 to A10 under Sec. 494 r/w 109 IPC, against A1, A3, A6 and A7 under Sec.506(ii) IPC, against A1 under Sec.3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the accused were questioned. Since the accused pleaded innocence and claimed to be tried, trial was conducted.

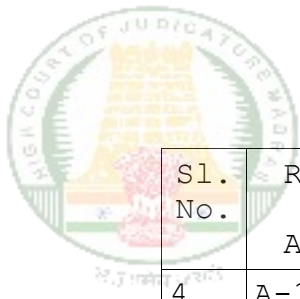
4.8. During the course of trial, on the side of the complainant 17 witnesses have been examined as PW.1 to P.W.17 and 24 documents were marked as Exs.P.1 to P.24. When the incriminating portions available from the evidence of the prosecution was put to the accused and they were questioned under sec. 313 Cr.P.C, the accused denied. On the side of the defence, one witness was examined as DW.1 and no document was marked.

4.9. After the completion of the trial and on consideration of the evidence available on record the learned trial Judge found the accused A-1, 2, 3 to 6, 8 to 10 for the offences tabulated here under and convicted them as below:



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Sl. No.	Rank of the Accused	Found guilty for the offences under	Punishment
1.	A.1	U/S.4 of Dowry Prohibition Act U/s.498(A) IPC U/s.3(1)(x) of SC & ST Act U/s.506 (II) IPC U/s.494 IPC	Sentenced to undergo Rigorous Imprisonment of one year and to imposed pay a fine of Rs.10,000/-, and in default, to undergo Imprisonment of one year. Sentenced to undergo Rigorous Imprisonment of one year and imposed to pay a fine of Rs.10,000/-, and in default, to undergo Imprisonment of one year. Sentenced to undergo Rigorous Imprisonment of one year and imposed to pay a fine of Rs.10,000/-, and in default, to undergo Imprisonment of one year. Sentenced to undergo Rigorous Imprisonment of one year and imposed to pay a fine of Rs.5,000/-, and in default, to undergo Imprisonment of one year. Sentenced to undergo imprisonment of five years and imposed to pay a fine of Rs.10,00,000/- which has to be treated as compensation payable to the de facto complainant U/s.357 Cr.P.C,
2	A-2 died during the pendency of the case died		
3	A-3 to A-6, A8 A-9 and A10	U/s.494 r/w 109 IPC	Sentenced to undergo imprisonment of five years, each and imposed to pay a fine of Rs.5,000/- each and in default to undergo imprisonment of 6 months.



Sl. No.	Rank of the Accused	Found guilty for the offences under	Punishment
4	A-3 and A-6	U/s.506 (II) IPC	Sentenced to undergo imprisonment of 6 months and imposed to pay a fine of Rs.5,000/- each, and in default to undergo imprisonment of 6 months.
5	A-7 is acquitted under Section 235(i) Cr.P.C		

Aggrieved over the above judgement, Accused 1, 3 to 6, 8 to 10 have preferred this Criminal Appeal. During the pendency of this Appeal A-5 died.

5. The brief evidence of the prosecution witness:-
PW.1/Damayanthi, who is the de facto complainant, has narrated about her marriage with A-1 and about the child born out of their wed-lock, and demand of dowry made by A-1. She has further stated about the reluctance on the part of A-1 to take her to the house of his parents after their marriage and also about the second marriage between A-1 and A-8 and how she was ill-treated by A-1 and other accused by using abusive language and caste name.

5.1. PW.2/Periyasamy, who is the father of PW.1 has spoken about the marriage and other incidents that were narrated by PW.1 in her evidence.

5.2. PW.3/Varadharajan, is an advocate of Rasipuram and he is known to the family of PW.1. He also deposed evidence about the marriage between A-1 and PW.1 and his participation in the marriage function. PW.3 affixed his signature along with one Advocate Rajendiran, as witnesses for marriage. He also attended the name giving ceremony of PW.1's son and his knowledge about the quarrel occurred between PW.1 and A1 subsequent to the name giving function. However he has stated that he did not know the reason for the quarrel.

5.3. PW.5/Prema who is working as the Sub Registrar, Co operative Dept., Salem is the classmate for PW.1 and A-1 and she knew about the love affair between PW.1 and A1, right from the time when they were studying in college. Since A1 could not get the consent of his parents for the marriage between himself and PW.1, he got the support of his maternal aunt and her husband and in their presence he conducted his betrothal ceremony with PW.1. PW.5 had attended the marriage function of PW.1 and A1



and she has stated that A4, A5 and A7 also attended their marriage. She had also stated about the events that had taken place during the name giving ceremony and about the dowry demand for Rs.1,00,000/- made by A-1 from PW.1. She had the knowledge about the second marriage of A1 with A8 and spoken about that in her evidence.

5.4. PW.6/Murali is known to A1 and his family but he turned hostile. PW.7/Swaminathan and PW.11/A.Rajendran have also turned hostile.

5.5. PW.8/ Haribabu is an advocate who had attended the marriage between PW.1 and A1. He also knew about the son born to PW.1 and A1. After knowing the second marriage of A1, he accompanied PW.1 and went to the house of A1. He has further stated that at the house of A-1, A1, his parents, and brother/A6 had scolded and insulted PW.1 by calling her with her caste name in a degraded manner.

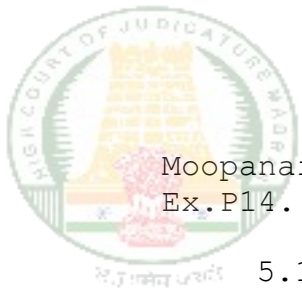
5.6. P.W.9/L.Manickam, has given the community certificate for Damayanthi while he was working as the Tahsildar, Rasipuram. He has issued the certificate by stating that PW.1 belongs to Adi Dravidar Community.

5.7. P.W.10/S.Panchabakesan, is the owner of the marriage hall in which the marriage between A1 and A-8 was held on 30.06.2002. He has spoken that the marriage between A-1 and PW1 was held on 30.06.2002 at his marriage hall and the receipt issued by him after getting the rent for the marriage hall is marked as Ex.P13.

5.8. PW.12/Radhakrishnan, was the Sub Registrar, Rasipuram and he has stated that the registration of marriage was held between PW.1 and A1 on 05.04.2001 and the same was registered on 20.04.2001. He deposed that the marriage between PW.1 and A1 was solemnized as a Special marriage.

5.9. PW.13/G.Chitra, is the Commissioner of Municipality, Rasipuram. Arima Marriage Hall in which the marriage between the accused and PW1 had taken place belonged to the Rasipuram Municipality. She has stated that as already booked the marriage between A1 and PW1 had taken place in the said marriage hall on 05.04.2001 and the copy of the receipt issued by the authorities for booking the marriage hall has been produced as Ex.P14.

5.10. PW.14/M.R.Rajathi, who was the then Deputy Tashildar, Ariyalur, had issued the Community Certificate for A1 and his brothers by stating that they belong to Parkkava Kula



Moopanar and the copy of the said certificate is marked as Ex.P14.

5.11. PW.15/R.S.Srinivasan, Inspector of Police, Rasipuram Police station had registered the FIR on the receipt of the Complaint from PW.1. PW.16/Appar is the person from the Printing Press the marriage invitation of A1 and A8 was printed and he has stated about the same in his evidence.

5.12. PW.17/Gnanapandithan, has stated about the process of the investigation and laying of the charge sheet against the accused as stated already.

6. Heard the submissions of Mr. Kumar Tacrejaa for M/S C.P. Sasikumar, learned Counsel for the Appellants/Accused and Mr.A.Gopinath, learned Government Advocate appearing for R1/State and Mr.R.Sankarasubbu, learned Counsel for the for R2/complainant.

7. The learned counsel for the appellants submitted that the de facto complainant/PW1 and A-1 were in love with each other from the time when they were college mates and hence the question of demanding dowry or any other demand of that nature will not arise; since PW.1 was interested in social activities than spending time with the family, misunderstanding arose between PW1 and the accused; despite the marriage was taken place on 05.04.2001 the complaint was lodged only after seven years and the delay would cause doubt on the case of the prosecution; PW.1 being an advocate would not have waited to lodge the complaint, if A-1 had really demanded dowry; the allegation about second marriage is false; the documents of the prosecution are created by PW.1; no one has spoken about the ceremony of marriage as alleged by PW.1; the police have no power to register a case under Sec.494 IPC and this type of complaints ought to have been given only as per Section 198 Cr.P.C; as per Sec.14 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act,1989 only an Officer not below the rank of DSP alone can investigate the offences falling under the Act; the respondent police does not have any power to investigate such kind of offences; since PW.1 misbehaved with A1, he moved away from her and established his practice at Ariyalur; A1 being an advocate and a Member of noble profession would have never had any ill feeling towards any particular community; the learned Trial Judge did not appreciate the evidence in a proper perspective and convicted the accused.

8. The learned Government Advocate appearing for the 1st respondent/State submitted that there are concrete evidences on



record to prove that A1 had demanded dowry and caused physical and mental cruelty to her; he married A8 during the subsistence of his lawful marriage with PW.1; the materials on record would prove that A3 to A6, A8, A9 and A10 had abetted A1 to commit the offence of bigamy; A1, A3 and A6 have also intimidated PW.1 when she questioned the illegal marriage; A1 had also abused and insulted PW.1 by caste calling and thereby committed an offence under Sec.3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

9. The point for consideration is

1. Whether the finding of the guilt of the first accused for the offences under Sec.4 of Dowry Prohibition Act, Sec.498(A), 506(II) and 494 IPC and Sec.3(1)(x) of SC ST Act 1989 is fair, proper and legal?
2. Whether the finding of the guilt of the 3rd and 6th accused for the offences under sec.494 r/w 109 and 506 (II) IPC is fair, proper and legal?
3. Whether the finding of the guilt of the 5th , 8th , 9th and 10th accused for the offence under sec.494 r/w 109 IPC is fair, proper and legal?

10. The fact that A1 and PW.1 were classmates when they were studying in Law college and they had a love affair between themselves is not denied. The further fact that they have a male child born out of their wedlock is not denied. The love affair between PW.1 and A1 did not get the approval of the parents of A1. However, A1 married PW.1 in the presence of his friends and other relatives on 05.04.2021. Subsequent to marriage, they started to live as couples at the parents' house of PW.1.

11. According to PW.1 though A1 could not get the approval of his parents for their marriage, he got the support of his younger mother Janaki (A4) and her husband Thatchinamoorthy (A5) and they had attended their marriage and blessed them. Since PW.1 and A1 continued to live at her parents' house, PW.1 was insisting A1 to take her to his native place. In the meanwhile PW.1 delivered a male child on 29.01.2002. On 03.02.2002 they held the name giving ceremony for the child. A1 had assured PW.1 that he would take her to his native place after the name giving ceremony. As assured he did not take her to his native place. Instead he demanded Rs.1 lakh from her in order to convince his parents. Since PW.1 did not give money, A-1 did not



take her to his parents' house at his native place. But he left the company of PW1 and went away to his native place.

12. The first appellant/ A1 has submitted that because of some other misunderstanding between himself and PW.1, he went to his native place and he also established his advocate practice at Ariyalur and he never demanded any money from her. It is alleged by the appellants/accused that PW.1 was not much interested in family commitments but she had her attention in social activities. In the cross examination of PW.1 the above reasons were not suggested to her as the reason for the misunderstanding between the couples. Instead it was suggested to her that both PW.1 and A1 had egoistic issues between themselves and that was the reason for their separation.

13. The father of PW.1 was examined as PW.2. He has stated in his evidence that the marriage between PW.1 and A1 was held at his expense and at his place without the approval of the parents of A1. It is pertinent to note that the accused and PW.1 belong to different communities. And this was the reason for not getting the approval of the parents of A1 for their marriage. PW.2 corroborated the evidence of PW.1 and stated that A1 and PW.1 started to live together only at a portion of PW.2's house at Rasipuram.

14. After the 1st appellant/A1 left the company of PW.1 and gone to his native place, he married the 8th accused who also belongs to his own community. On knowing this PW.1 went to the native place of A1 along with her advocate friends PW.8 and one Mayan and questioned him. This was disliked by A1 and his family members and they drove them away.

15. It is the submission of the learned counsel for the Appellants that the allegation of second marriage between A1 and A8 is only imaginary. PW.5 was a classmate for both PW.1 and A1 and hence both are known to her. She was even aware of their love affair while they were studying at Law College and the refusal of parents of A1 to accept their love. She stood as a witness when the marriage between PW.1 and A1 was held on 05.04.2001 at Rasipuram. She has stated in her evidence that A4/ Janaki, A5/ Dhakshinamoorthy and A7/Thirunavukarasu were present for the marriage. She also had the knowledge that after marriage, PW.1 and A1 were living as couple in a portion of PW.2's house. PW.3 had attended the name giving ceremony of PW.1's son and she has stated in her evidence that A1 refused to take PW.1 and his son to his native place for not giving dowry of Rupees One lakh as demanded by him. Since PW.5 is a person known to PW1 and A1 as their classmate, she would not have any motive against any of the accused including A1 and



give false evidence against them.

16. Despite the 1st appellant/A1 denied his second marriage with A8, in the grounds of appeal itself it is admitted that A8 is the wife of A1 and she has two children. It is not the case of defence that A-1 married A8 any time before his marriage with PW.1. Neither his marriage with PW.1 was denied.

17. P.W.10/S.Panchabakesan, the owner of Marriage Hall in which the marriage between A1 and A8 had taken place has been examined as PW.10. He has stated in his evidence that before one month of the marriage, the Marriage Hall was booked. As planned the marriage was held on 30.06.2002. The marriage receipt issued for receiving the rentals for the marriage hall has been marked as Ex.P.13.

18. Another important witness available in this case is PW.16, in whose printing press the marriage invitation for the marriage between A1 and A8/Primala was printed. When PW.16 was confronted with Ex.P.21/ marriage invitation, he admitted that the said marriage invitation was printed at his printing press. The marriage date in Ex.P.21 is shown as 30.06.2002. PW16 also confirmed that the marriage invitation contained the names of A2, A3, A6, A8 and A9. A2 and A3 were the parents of A1 and A6 is the brother of A1, A9 is the father of A8. Thus the marriage invitation contained their names in their capacities as relatives for both the bride and bridegroom and they gestured to welcome the invitees.

19. The above contents of Ex.P.21 would show that it was a pucca marriage invitation printed in a traditional pattern. Despite PW.16 happened to be an important witness, he was not cross examined by the accused and his evidence remains unchallenged. DW.1/Thirunavukarasu was examined on the side of the defense. During his cross examination he asserted that the marriage between A1 and A8 was held on 30.06.2002 at Shanmugapriya Marriage Hall at Thiruvaiyuru and he participated in that. So the defense side witness himself has admitted about the marriage function and his participation. So it is needless to state that the prosecution has proved the second marriage between A1 and A8.

20. A Technical point was raised by the learned counsel for the appellant that for the offence under sec. 494, only a private complaint should be given in accordance with the Sec.198 Cr.P.C and the magistrate ought not have taken cognizance of the offence on the basis of a police report. The Hon'ble Supreme Court has already held in the case of State of Orissa Vs Sharath Chanra Sahu and Another reported in 1997 AIR SC 1 that even



though the offence under sec. 494 is non-cognizable except on a private complaint to court, if a complaint alleges about the commission of other cognizable offences also, the police can treat the offence under sec.494 also like a cognizable offence and investigate the case and file the final report and it is lawful for the magistrate to take cognizance of the same. This is by virtue of invoking the power of police under sec. 155(4) Cr.P.C. The relevant portion of the judgment is extracted as under:

"6.The first Schedule appended to the Code indicates that the offence under Section 494 IPC is non-cognizable and bailable. It is thus obvious that the police could not take cognizance of this offence and that a complaint had to be filed before a Magistrate.

7. Relevant portion of Section 198 which deals with the Prosecution for Offences against Marriage provides as under:

"198. Prosecution for offences against marriage.-(1) No court shall take cognizance of an offence punishable under Chapter XX of the Indian Penal Code (45 of 1860) except upon a complaint made by some person aggrieved by the offence:

Provided that-

(a) where such person is under the age of eighteen years, or is an idiot or a lunatic, or is from sickness or infirmity unable to make a complaint, or is a woman who, according to the local customs and manners, ought not to be compelled to appear in public, some other person may, with the leave of the court, make a complaint on his or her behalf;

(b) where such person is the husband and he is serving in any of the Armed Forces of the Union under conditions which are certified by his Commanding Officer as precluding him from obtaining leave of absence to enable him to make a complaint in person, some other person authorised by the husband in accordance with the provisions of sub-section (4) may make a complaint on his behalf;

(c) where the person aggrieved by an offence punishable under Section 494 or Section 495 of the Indian Penal Code (45 of 1860) is the wife, complaint may be made on her behalf by her father, mother, brother, sister, son or daughter or by her father's or mother's brother or sister, or, with the leave of the court, by any other person related to her by blood, marriage or adoption.

(2)-(7)***"

8. These provisions set out the prohibition for the



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court from taking cognizance of an offence punishable under Chapter XX of the Indian Penal Code. The cognizance, however, can be taken only if the complaint is made by the person aggrieved by the offence. Clause (c) appended to the proviso to sub-section (1) provides that where a person aggrieved is the wife, a complaint may be made on her behalf by her father, mother, brother, sister, son or daughter or other relations mentioned therein who are related to her by blood, marriage or adoption.

9. The High Court relied upon the provisions contained in clause (c) and held that since the wife herself had not filed the complaint and Women's Commission had complained to the police, the Sub-Divisional Judicial Magistrate, Anandpur could not legally take cognizance of the offence. In laying down this proposition, the High Court forgot that the other offence namely, the offence under Section 498-A IPC was a cognizable offence and the police was entitled to take cognizance of the offence irrespective of the person who gave the first information to it. It is provided in Section 155 as under:

"155. Information as to non-cognizable cases and investigation of such cases.-(1) When information is given to an officer in charge of a police station of the commission within the limits of such station of a non-cognizable offence, he shall enter or cause to be entered the substance of the information in a book to be kept by such officer in such form as the State Government may prescribe in this behalf, and refer the informant to the Magistrate.

(2) No police officer shall investigate a non-cognizable case without the order of a Magistrate having power to try such case or commit the case for trial.

(3) Any police officer receiving such order may exercise the same powers in respect of the investigation (except the power to arrest without warrant) as an officer in charge of a police station may exercise in a cognizable case.

(4) Where a case relates to two or more offences of which at least one is cognizable, the case shall be deemed to be a cognizable case, notwithstanding that the other offences are non-cognizable."

10. Sub-section (4) of this section clearly provides that where the case relates to two offences of which one is cognizable, the case shall be deemed to be a



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cognizable case notwithstanding that the other offence or offences are non-cognizable.

11. Sub-section (4) creates a legal fiction and provides that although a case may comprise of several offences of which some are cognizable and others are not, it would not be open to the police to investigate the cognizable offences only and omit the non-cognizable offences. Since the whole case (comprising of cognizable and non-cognizable offences) is to be treated as cognizable, the police had no option but to investigate the whole of the case and to submit a charge-sheet in respect of all the offences, cognizable or non-cognizable both, provided it is found by the police during investigation that the offences appear, prima facie, to have been committed.

12. Sub-section (4) of Section 155 is a new provision introduced for the first time in the Code in 1973. This was done to overcome the controversy about investigation of non-cognizable offences by the police without the leave of the Magistrate. The statutory provision is specific, precise and clear and there is no ambiguity in the language employed in sub-section (4). It is apparent that if the facts reported to the police disclose both cognizable and non-cognizable offences, the police would be acting within the scope of its authority in investigating both the offences as the legal fiction enacted in sub-section (4) provides that even a non-cognizable case shall, in that situation, be treated as cognizable.

13. This Court in [Pravin Chandra Mody v. State of A.P AIR 1965 SC 1185](#) has held that while investigating a cognizable offence and presenting a charge-sheet for it, the police are not debarred from investigating any non-cognizable offence arising out of the same facts and including them in the charge-sheet.

14. The High Court was thus clearly in error in quashing the charge under Section 494 IPC on the ground that the trial court could not take cognizance of that offence unless a complaint was filed personally by the wife or any other near relation contemplated by clause (c) of the proviso to Section 198(1).

15. The judgment of the High Court being erroneous has



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to be set aside. The appeal is consequently allowed. The judgment and order dated 3-5-1995 passed by the Orissa High Court insofar as it purports to quash the charge under Section 494 IPC and the proceedings relating thereto is set aside with the direction to the Magistrate to proceed with the case and dispose of it expeditiously."

21. The rationale of the above judgment is squarely applicable to the facts of this case. In the case in hand it is seen that the complainant has been made with allegations for commission of some other cognizable offences also along with sec.494 I.P.C. The case has been registered for the offences punishable under sections 498(A), 506(II) IPC and Sec.3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 along with Sec.494 I.P.C. Since other cognizable offences also form part of the complaint, the police is right in deriving their power under sec.155(4) Cr.P.C for investigating the case and filing the final report. And it is lawful for the court to take cognizance of the case on the basis of the final report filed by the police.

22. Apart from the charges of bigamy, A1 has been convicted for the offences under Sec.4 of Dowry Prohibition Act, 498(A) IPC, Sec.3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 506(II) IPC. Both A1 and PW.1 were living at the parent's house of PW1 immediately after their marriage. After celebrating the name giving ceremony of their son, A1 did not take PW.1 and the child to his native place, as per his earlier assurance, but he demanded a sum of Rs.1 lakh in order to pacify his parents, who would not approve the love affair between A-1 and PW1. A1 told PW1 that his parents would not accept his inter caste marriage with PW1 unless she brought Rs.1 lakh. Since the money was not given, A-1 quarreled and left to his parents house and thereafter he did not return.

23. The second marriage of A1 was also convened subsequent to the name giving ceremony of his son born through PW.1. It has been already observed that PW.5 / Prema, friend of PW.1 and A1 has also corroborated about the fact that A1 demanded Rs.1 lakh from PW.1 for convincing his parents. It is the submission of the learned counsel for the defense that the marriage between A1 and PW.1 was a love marriage and hence there cannot be any terms for marriage and for the same reason the allegation as to the demand of dowry is a false one. It is true that the marriage between PW.1 and A1 was a love marriage and it was held without the approval of the parents A1.



24. At that point of time A-1 did not make any demands for money. It is alleged by PW1 that A-1 demanded money to convince his parents who were against the inter caste marriage. According to Sec.2 of Dowry Prohibition Act, dowry is define as under:

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"Section 2 in the Dowry Prohibition Act, 1961

2 Definition of 'dowry'. -In this Act, "dowry" means any property or valuable security given or agreed to be given either directly or indirectly-

(a) by one party to a marriage to the other party to the marriage; or

(b) by the parent of either party to a marriage or by any other person, to either party to the marriage or to any other person,

at or before¹ [or any time after the marriage]² [in connection with the marriage of the said parties, but does not include] dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.³ [***]

Explanation II.- The expression "valuable security" has the same meaning as in section 30 of the Indian Penal Code (45 of 1860).'

25. In the case in hand, there is no allegation for any demand for dowry at or before the time of marriage. Though the demand was made subsequent to the marriage that would also come under the definition of dowry. But the facts in this case would show that A1 did not demand dowry on the basis of any agreement to give dowry prior to their marriage. There is no evidence on record that he demanded dowry even prior to the marriage or he agreed to the marriage on the condition that dowry amount should be given to him after marriage.

26. It is the contention of PW.1 that the accused did not take her to his parents' house at his native place because she did not bring dowry. Being persons who were in love with each other before marriage both PW.1 and A1 would be knowing about their respective economical status prior to their marriage itself. A-1 agreed to marry PW.1 without demanding dowry. That seems that both PW.1 and A1 had an awareness and understanding about their respective economical status.

27. The demand for money as stated by PW1 arose on an occasion when PW1 insisted A-1 to take her to his native place. It was on the day when the name giving ceremony for their son was held. PW1 wanted that her marriage with A-1 be approved by the parents of A-1. Both PW1 and A-1 would have believed that things with elders would become alright and cordial once they see the grandchild.



28. But it seems that A-1 was not comfortable to take PW1 to her parents even after the birth of the child. It is probably because he was aware of their strong mindset that they would not compromise the caste difference. Since it is an one time demand and on a particular occasion, it appears that A-1 tried to avoid the situation and the pressure given by PW.1 to take her to his native place by demanding something which he knew PW1 could not do. This seems to be a pressure avoiding tactics adopted by A-1.

29. His subsequent second marriage with A-8 with the support of his parents, shortly after he left PW1, would also show that he could never get the approval of his parents for his marriage with PW1. It is doubtful whether he had even disclosed his marriage with PW1. In the above circumstances it appears that even if PW1 had brought One lakh rupees as demanded by A-1, he would not have taken her to his parents. So in all probabilities it only appears that the demand for money was made in order to stop PW1 from giving pressure to A-1 to take her to his parents and not as a consideration for his marriage with her. Though it outwardly appears as the demand for dowry, in reality it was a tactics adopted by A-1 to prevent PW.1 from putting pressure on him to seek the approval of his parents by taking her and the child to their house.

30. After learning about the second marriage of A-1 with A-8, PW1 went with her friends to A-1's parent's house on 08.09.2002 and questioned him. But they were not allowed to enter into the house. It is stated by PW1 that A-1 came to Rasipuram on 15.09.2002 to meet PW1 and at that time also he demanded money for living with PW1. A-1 being an advocate would have been well aware of the impact of his second marriage in the mind of PW1 and he knew that PW1 would not condone his illegal marriage. Knowing the above situation very well, if A-1 demanded money from PW1 on 15.09.2002, the object would be not to live with her but to fetch up a quarrel with her in retaliation to her sudden visit to Annimangalam on 08.09.2002. Since she came to A-1's parent's place on 08.09.2002 and quarreled with him he would have been angry with her.

31. Further, the Investigation Officer / PW-17 has stated that during his enquiry the brothers of PW1 had not stated that the first accused had demanded dowry. Her father/ PW2 has also stated in his evidence that first accused had not demanded any dowry from him directly. So PW2 could be only a hearsay witness so far it relates to the allegations of dowry demand made by A-1. Hence the demand for money made by A-1 to PW1 seems to be more like a tactics adopted by A-1 either to prevent



or aggravate a situation than a seriously meant demand. The occasions chosen by A-1 to demand money from PW1 would also show that the true intention for demand for money was not to receive it in consideration of his marriage with PW1. The learned trial judge omitted to appreciate this superficiality in the demand for money made by A-1 and concluded that A-1 had demanded dowry in consideration of his marriage. Hence the finding of the guilt of the first accused so far it relates to the offence of demanding dowry punishable under Sec.4 of the Dowry Prohibition Act calls for interference.

32. It is the evidence of PW1 that when she went to the native place of A-1 (Annimangalam) along with her advocate friends on 08.09.2002 after knowing about his second marriage, the first accused and his relatives abused them and did not allow them to get inside their house. PW.8/Haribabu is one of the advocates who accompanied PW.1 on 08.09.2002 to Annimangalam. He has stated that when they went to the house of the first accused, PW.1 questioned the first accused about his marriage with another woman (A-8), when her marriage with him was subsisting. PW8 has further stated about the hostile manner in which they had been treated by the A-1 and his relatives. Though PW.8 has stated the words used by A1 and his relatives, in the evidence of PW.1 such details were not stated in a similar manner. PW1 has stated that she alone had gone to the house of A-1 first and she was prevented at the door.

33. It is not known whether the house of A-1 had any compound wall. Even in the evidence of PW1 she has stated that she did not remember whether the house of A-1 had any compound wall. PW.17 Investigation Officer has stated that he also did not remember whether the house of A-1 was fenced with barbed wire. But it is claimed by the Appellants that the house of A-1 is fenced with barbed wire and the occurrence had not taken place on the road or in public view. In the rough sketch Ex.A23, the house of A-1 is shown to be situated at 20 feet away from the road. Though the bunk shop and tea shops were shown to be situated abetting the road, the house of A-1 was found to be situated away from the road. The essential features like fence etc is not shown in Ex.P23 sketch. Neither the Investigation Officer was assertive in his evidence about the presence or absence of fence around the house of A-1.

34. So, with these evidence on record, it is not possible to know whether the occurrence at Annimangalm had been taken place inside the gate but outside the doors or whether it had been taken place on the road, outside the fence or gate if any., Despite PW1 has stated that she was prevented from entering in



to the house of A-1, it is not clear whether she was prevented on the road or after she entered the gate but near the door. Since 'public view' is one of the essential ingredient to prove the offence punishable under Sec. 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 Act, the said fact ought to have been proved by the prosecution beyond doubt. But the evidence on record does not prove the above ingredient satisfactorily. None of the persons surrounding the house of A1 has been examined to show that the occurrence had taken place in their vicinity and they witnessed.

35. PW.1 has stated that A1 came to Rasipuram on 15.09.2002 and told her that A-8 brought fortune and if PW.1 also could bring money he would continue to live with her; this resulted in a worldly quarrel and in which A-1 abused her by calling her caste name in a degrading manner. This had happened inside the house of A-1 and at that time there was no one at her home. PW1 has not stated in her evidence that during this time also caste calling was done by A-1 in public view.

36. In the context of the offence under Sec.3(1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, it is relevant to read the provision, which has been extracted under:.

Section 3 in The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989

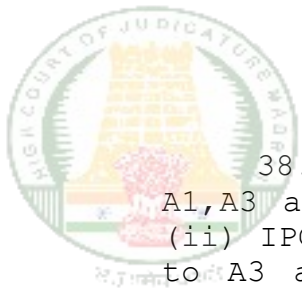
3. Punishments for offences of atrocities.-

(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-

.....

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

37. So, according to Sec.3(1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, if anyone intentionally insults or intimidates with an intention to humiliate a member of the Scheduled Caste or Scheduled Tribe in any place within public view, it is an offence. Even according to the evidence of PW.1 at the time when the accused abused her with caste name they were alone at her parent's house at Rasipuram. Obviously it can not be in public view. In view of the above stated reasons the first accused ought not have been convicted for the offence under sec.3(1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and hence the finding of the learned trial judge on this aspect also calls for interference.



38. It is seen from the judgment of the Trial Court that A1, A3 and A6 have been convicted for the offence under Sec.506 (ii) IPC as well. PW1 has stated that she was threatened by A-1 to A3 and A6 that they would kill her if she dared to go to police or court and take any legal action. Time and again, it has been held in various decisions of the Hon'ble Supreme Court and this court that mere utterance of words alone is not sufficient to prove the commission of the offence under Sec. 506(II). The threat should be of such a nature that it had created fear in the mind of PW1 that her life would be endangered if she had gone for any legal action. The above words were uttered by the accused only out of provocation and on seeing the sudden appearance of PW-1 at the house of A-1 at Annimangalam. Hence with the utterance of those words alone it can not be held that the offence under Sec. 506(II) has been committed. So it is not correct for the trial Court to convict A1, A3 and A6 for the offence punishable under Sec.506 (II) IPC and it also needs interference.

39. PW.1 has stated in her evidence that when PW.1 had come to Rasipuram on 15.09.2002, he abused her by caste name and kicked her. The above assault caused by A-1 on PW1 would attract the provisions of Sec.354 I.P.C and not Sec.506(II) I.P.C. According to Sec.354 I.P.C any act done by using criminal force for outraging the modesty of a woman is punishable. Sec.354 of Indian Penal Code reads as under:

"Sec. 354. Assault or criminal force to woman with intent to outrage her modesty.—Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both. "

40. And the word 'criminal force' is defined under Sec. 350 I.P.C and the said section has also been reproduced as below:

"350 I.P.C - Criminal force

Whoever intentionally uses force to any person, without that person's consent, in order to the committing of any offence, or intending by the use of such force to cause, or knowing it to be likely that by the use of such force he will cause injury, fear or annoyance to the person to whom the force is used, is said to use criminal force to that other."

41. A-1 had kicked PW1 knowing pretty well that it would not only cause shame and fear in the mind of PW1 but also



outrage her modesty. No doubt such a strong outburst of anger and resentment coupled with criminal force would have been insulting, annoying and outraging to PW1. Even though A-1 was the husband of PW1, law does not permit him to take the liberty of doing acts that would indignify PW1 as a person and more particularly as a woman. Wife-beating never found favour with law and it is very much punishable under sec. 354 I.P.C, irrespective of the fact whether the acts constituting the offence were done either in private sphere or in public view and whether it was done with or without the consent of the wife. Since the act of the accused on this aspect attracts the penal provisions of Sec. 354 I.P.C, the learned trial judge ought to have punished A-1 for committing an offence under Sec. 354, instead of punishing him for the offence under Sec.506(II) I.P.C.

42. The learned counsel for the appellants submitted that the accused never caused any act of domestic violence and so they should not have been punished for the said offence. Sec.498(A) I.P.C would not only prescribe punishment for causing cruelty by the husband or the relatives but it also defines "cruelty"as under:

"Sec. 498(A) I.P.C Husband or relative of husband of a woman subjecting her to cruelty.

¹[Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

Explanation.—For the purposes of this section, "cruelty means"—

(a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or

(b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.]"

43. PW1 has stated in her evidence that On 15.09.2002 when A1 came to Rasipuram, he told PW.1 that he would continue to live with PW.1 also despite he married A-8, if she agreed to certain conditions. The very act of marrying another woman namely Parimala/A8 when the marriage between A1 and PW.1 was subsisting would itself an act of mental cruelty caused by A1 to PW.1. This would have no doubt shattered her equilibrium in life and affected her mental peace badly. And that would have



had an impact on her physical health as well. The damage so caused to PW1 by A-1 is neither measurable nor repairable. A-1 did not stop there. He added fuel to the fire by suggesting to PW1 that he would continue to have PW-1 also in his life if she could agree for certain conditions. Such kind of suggestions to a wife can be made by a husband only with utter disregard to her self-esteem and that would no doubt add insult to the injury.

44. A-1 wanted PW-1 to approve his illegal bigamous marriage with A-8, by making not only compromises but also agreeing to his conditions. Such kind of sadistic mindset and his resultant acts of violence on PW1 would show that he is remorseless of his actions. The amount of mental torture undergone by women at the receiving end of these kinds of acts would some times impel them to choose any untoward end. Not every woman of the contemporary decade of this occurrence could have been strong enough to fortify her emotions with courage, blow off the dust and pick up from pieces in order to build a better life of her own. Even if a woman like PW1 does this, that would be at the cost of losing the prime part of her life. So the acts of A-1 fulfill every ingredient of 'cruelty'. And hence it is right for the learned Trial Judge to convict A-1 for committing the offence punishable under Sec.498(A) IPC.

45. It is irresistible to look at the irony between the love letters exchanged between PW.1 and A1 during their college days and the bitterness they experienced in life after their marriage. Some of those letters exchanged between A-1 and PW-1 have been marked as Exs.P5 to 9. A glimpse of those letters would reveal that as students of law A-1 and PW-1 were aware of the practical side of the world and their responsibilities. In those letters A-1 appears to have got impressed with the assertive character of PW1 and appreciated her sense of self esteem. Whenever A-1 tended to believe the chauvinistic weakness as the strength of masculinity and expressed his anger in his letters, PW-1 did not compromise and asserted her self-esteem. She revealed herself as a woman who didn't believe in chauvinism and she is more oriented towards her career. It is difficult to understand the logic in getting impressed with a non-stereotypic woman and marrying her and later conceiving the very same trait of hers as an irksome attitude.

46. It might be because either A-1 believed himself as an idealistic person who was comfortable to share his life with a liberated woman like PW1 by respecting her space. Or he would have thought that her ideals would become secondary after marriage and her love towards him would do such wonders. Since



it did not happen after marriage and PW1 continued to assert her individuality, A-1 seems to have got bored up with her and yielded to some pressure and married A-8, who had the similar cultural dimension of his parents.

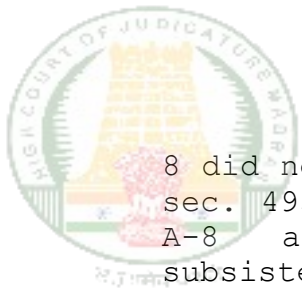
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47. Strangely, this had happened a few months after PW-1 had delivered a child for him. Though, A-1 as an advocate, knew about the consequences of his action, he seems to have believed that the wings of PW1 had become weak after she delivered the child and she had no other option except to bear his banner, at least for the sake of the child, by compromising his unlawful marriage with A-8. But it went otherwise.

48. Though it is proved to be harmful to underestimate the strength of a woman, it continues to occur in the Society. And the irony is that even for such mistaken estimation, women are getting blamed. In life, especially in Love it is better to value the partner for what he/she is than by believing something fantastic of the other and invite mutual troubles after marriage.

49. Though it is alleged that the other accused have also abetted the second marriage of A1 with A8, it has to be established first whether the other accused had the knowledge about the first marriage of A1 with PW.1. Because after his marriage with PW.1, A-1 never took PW.1 or his new-born son to his parents house. The second marriage invitation has been printed in a normal traditional pattern and it contains all the names of close relatives of both A-1 and A-8. Had the parents of A1/ A2 and A3 and his brother /A-6 had already known about A-1's first marriage with PW-1, it is doubtful whether they had celebrated A-1's second marriage so publicly by inviting a political V.I.P to grace the occasion and by printing his name also in the invitation. Had they known about the previous marriage of A-1 with PW1 and still wanted A-1 to marry an another woman of their caste, they would have chosen to make it as an secret event. The above circumstances probabalise the fact that A1 could have concealed his first marriage to his parents, his brother/ A6 and misled them to arrange an another open marriage for him. The mere presence of the relatives of A1 during his second marriage alone will not prove that they already had the knowledge about his first marriage and still abetted his second marriage with A-8.

50. It is equally doubtful whether the parents of A-8/ A-9 and A-10, had known about the first marriage of A1 with PW.1. Had they known about his first marriage, they would have hesitated to give A-8 in marriage with A-8. It is true that A-



8 did not make any complaint against A-1 for the offence under sec. 495. But with that alone it could not be concluded that A-8 and her parents had the knowledge about the subsistence of the first marriage of A-1. Because there may be several personal and social factors which could have made it not easy for A-8 for lodging a complaint against A-1 and his family.

51. After coming to know the second marriage of A-1 with A-8, PW.1 would have got shocked and disappointed. She would have heard stories about the events and the details of who had come to the second marriage function. With those secondary information and in that emotional state of mind, PW1 would have complained against all the other accused that they had knowledge about her marriage with A-1 and still abetted him to marry A-8, by showing their presence. But it is the duty of the Investigation Officer to unearth the fact whether the other accused had willingly participated in the second marriage function knowing fully well about the subsistence of A-1's first marriage. But the materials on record did not show that the other accused namely A-2, A3, A6, A8 to A10 had the knowledge about the marriage of A1 with PW.1.

52. It is stated by PW.1 that A4/Janaki/ younger mother of A1 and her husband Thatchanmoorthy/A5 were present during her betrothal with A-1 and also the marriage function. It is alleged that A4 and A5 were also present during the marriage of A4 and A5 and thereby abetted his second marriage. No evidence of any independent witness is available to show that A4 and A5 were also seen to be present at the second marriage of A-1 with A-8. Being the relatives of A-1, their names would have got printed in the marriage invitation of A-1 with A-8. But it is not proved that it was printed with the approval of A4 and A5. It is A-1 who is responsible for whatever happened. Without establishing the fact that the other accused also present in the second marriage of A-1, with the knowledge about his first marriage with PW1, the other accused ought not to have been punished for the offence of abetting A1 to commit the offence of bigamy. So the finding of the guilt of the A3, A4, A6 A8 , A9 and A10 for the offence under Sec. 494 (A) r/w 109 IPC calls for interference.

53. It is learnt that PW.1 and A-1 had dissolved their marriage during the pendency of this case and parted their ways once and for all. Since A-1 has paid the entire fine amount of Rs.10,00,000/- which has been allowed to be payable as compensation for PW.1 and also considering the length of time of the litigation and change of circumstances, I feel some leniency can be shown in the matter of punishment imposed on A-1.



In the result, this Criminal Appeal is partly allowed and the judgement of the learned Principal Sessions Judge, Namakkal dated 28.03.2012 made in S.C.No.196 of 2003 is modified to the effect that the Appellants/ Accused No. 3, 4, 6, 8, 9 and 10 are not found guilty for the offences under sec. 494 r/w 109 I.P.C and A1, A3 and A6 are not found guilty for the offence under Sec. 506(II) acquitted from the said charges.

The first accused is found guilty for the offences under Sec. 494, 498(A) I.P.C and 354 I.P.C and he is convicted and sentenced to undergo Simple Imprisonment for 2 years for the offence under Sec. 494 I.P.C and imposed with a fine of Rs.10,00,000/- and that has to be treated as compensation payable to PW1 and her son Tamilamuthan U/s.357 Cr.P.C; to undergo Simple Imprisonment for One year and imposed with a fine of Rs.10,000/- in default to undergo Simple Imprisonment of two months for the offence under Sec.498(A) I.P.C; and to undergo Simple Imprisonment of 1 month and imposed to pay a fine of Rs. 10,000/- for the offence under Sec.354 I.P.C. The sentences shall run concurrently and the first accused is entitled to set off the period of imprisonment already undergone by him.

The first accused is found not guilty for the offences under Sec.4 of Dowry Prohibition Act and Sec. 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act 1989 and 506(II) IPC and acquitted from the said charges as well.

The fine amount paid if any may be set off against the fine amount now imposed. The fine amount if any paid by the accused for the offences for which they have been found not guilty is ordered to be refunded. Connected Criminal Miscellaneous Petitions if any are also closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

jrs

To

1. The Judicial Magistrate,
Rasipuram.



2. Do Through The Chief Judicial Magistrate,
Namakkal.

3. The Principal Sessions Judge,
Namakkal.

4. The Sessions Judge, Namakkal.

5. The Deputy Superintendent of Police,
Rasipuram Police Station, Rasipuram.

6. The Superintendent,
Central Prison, Coimbatore.

7. The Superintendent,
Women's Jail,
Thorapadi, Vellore.

8. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.C.P.Sasikumar, Advocate, S.R.No.6099

Crl.A.No.246 of 2012

MG(CO)
RLP(14/02/2022)