



Crl.A.(MD) Nos.346, 513 & 526 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Judgment	Date of Pronouncing the Judgment
29.08.2022	02.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

Crl.A.(MD) Nos.346, 513 & 526 of 2019

Crl.A.(MD) No.346 of 2019:

Shanmugasekar

... Appellant

-vs-

The State rep.by
The Inspector of Police
Emaneswaram Police Station
Ramanathapuram District
(Crime No.161 of 2016)

... Respondent

PRAYER: Appeal filed under Section 374(2) of the Code of Criminal Procedure against the judgment dated 12.07.2019, in S.C.No.105 of 2017, on the file of the I Additional District & Sessions Court, Paramakudi.

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For Appellant : Mr.R.Manickaraj
for M/s.Veera Associates

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

Crl.A.(MD) No.513 of 2019:

Kalidoss ... Appellant

-vs-

1.State through by
The Inspector of Police
Emaneswaram Police Station
Paramakudi
Ramanathapuram District
(Crime No.161 of 2016)

2.Kaari ... Respondents

PRAYER: Appeal filed under Section 378 of the Code of Criminal Procedure against the judgment dated 12.07.2019, in S.C.No.105 of 2017, on the file of the I Additional District & Sessions Court, Paramakudi.

For Appellant : Mr.S.Kanagarajan

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor for R1
Mr.R.Manickaraj
for M/s.Veera Associates for R2



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Crl.A.(MD) No.513 of 2019:

Kalidoss

... Appellant

-vs-

1.State through
The Inspector of Police
Emaneswaram Police Station
Paramakudi
Ramanathapuram District
(Crime No.161 of 2016)

2.Mandiammal

3.Dhanalakshmi

4.Akila

5.Aparna

... Respondents

PRAYER: Appeal filed under Section 378 of the Code of Criminal Procedure against the judgment dated 12.07.2019, in S.C.No.105 of 2017, on the file of the I Additional District & Sessions Court, Paramakudi.

For Appellant : Mr.S.Kanagarajan

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor for R1
Mr.R.Manickaraj
for M/s.Veera Associates for R2 to R5



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COMMON JUDGMENT

P.N.PRAKASH, J.

These criminal appeal are filed against the judgment and order dated 12.07.2019, in S.C.No.105 of 2017, on the file of the Additional District & Sessions Court, Paramakudi.

2. Since these criminal appeals emanate from one and the same judgment of the Trial Court, they are considered and decided by this common judgment.

3. Initially, on 11.10.2017, the Trial Court framed certain charges against accused 1 to 6. But, subsequently, on 24.07.2018, the Trial Court altered the charges and framed as many as seven charges as detailed below:

Charge	Penal Provisions	Accused
1.	147 I.P.C.	A3 to A6
2.	148 I.P.C.	A1 & A2
3.	294(b) I.P.C.	A1 & A2
4.	302 I.P.C.	A1 to A6
5.	307 I.P.C.	A2
6.	324 I.P.C.	A3
7.	323 I.P.C.	A4 to A6



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4. By judgment and order dated 12.07.2019, the Trial Court acquitted Shanmugasekar (A1) of the charge under Section 148 I.P.C., acquitted Kaari (A2) of the charge under Sections 148, 302 and 307 I.P.C., acquitted Mandiammal (A3) of the charges under Sections 147, 302 & 324 I.P.C., acquitted Dhanalakshmi (A4), Akila (A5) and Aparna (A6) of the charges under Sections 147, 302 and 323 I.P.C. and sentenced Shanmugasekar (A1) and Kaari (A2), as detailed below:-

Accused	Section of Law	Sentence of imprisonment	Fine amount
A1	294(b) I.P.C.	NIL	Rs.500/- in default to undergo simple imprisonment for one (1) month.
	302 I.P.C.	To undergo life imprisonment.	Rs.1,000/- in default to undergo simple imprisonment for one (1) year.
A2	294(b) I.P.C.	NIL	Rs.500/- in default to undergo simple imprisonment for one (1) month.
	324 I.P.C.	NIL	Rs.3,000/- in default to undergo simple imprisonment for three (3) months.



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5. The prosecution case is as under:

5.1. Shanmugasekar (A1) and Kesavan (P.W.4) are the sons of Kaari (A2) and Mandiammal (A3). Dhanalakshmi (A4) is the wife of Shanmugasekar (A1); Akila (A5) and Aparna (A6) are the daughters of Shanmugasekar (A1) and Dhanalakshmi (A4). Kesavan (P.W.4) had married Saravanapriya (P.W.5), daughter of the deceased Muthu. All of them were residing with their respective families in Gandhi Nagar in Emaneswaram area.

5.2. Kesavan (P.W.4) built a tiled house in Gandhi Nagar and was living with his wife Saravanapriya (P.W.5) and children. In the vacant land adjacent to the house of Kesavan (P.W.4), his (P.W.4's) parents [Kaari (A2) and Mandiammal (A3)] built a house, in which, they (Kaari (A2) and Mandiammal (A3)) were living in the ground floor and their eldest son Shanmugasekar (A1) was living with his family in the first floor.



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5.3. All the above three houses had a common electricity meter. Therefore, it was agreed to by them that Shanmugasekar (A1) and Kesavan (P.W.4) would pay the electricity charges every alternate month.

5.4. It appears that for the month of September, 2016, Kesavan (P.W.4) had not paid the electricity charges and therefore, on 28.09.2016, around 08.40 in the night, Shanmugasekar (A1) questioned his brother Kesavan (P.W.4) as to why he (P.W.4) did not pay the electricity charges. This questioning ended in an altercation, in which, Kaari (A2), Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6) also joined the fray in support of Shanmugasekar (A1). On hearing the noise, Kesavan's (P.W.4's) father-in-law Muthu, Muthu's eldest son-in-law Kalidoss (P.W.1) and Saravanapriya (P.W.5) also intervened.

5.5. The wordy quarrel between the two groups appears to have reached a crescendo. Amidst the quarrel,



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Shanmugasekar (A1) and his father Kaari (A2) rushed to their house, from where, they brought a billhook (M.Os.1 and 2) each and fatally attacked Kesavan's (P.W.4's) father-in-law Muthu on the head saying: "he is responsible for all the troubles in the family". Kaari (A2) attacked Kalidoss (P.W.1) and caused injuries to him. In the fight, Saravanapriya (P.W.5) was physically assaulted by the womenfolk of the opposite camp. Kesavan (P.W.4) also was injured in the fight. When Muthu fell on the ground, all the accused decamped from the place.

5.6. The above incident was witnessed by the neighbours Sathyamoorthi (P.W.2) and his wife Govindammal (P.W.3). 108 Ambulance was summoned and both Muthu and Kalidoss (P.W.1) were taken to the Government Hospital, Paramakudi, where Dr.Jegannathan (P.W.9) examined Muthu at 09.20 p.m., on 28.09.2016 and declared him (Muthu) "brought dead". The copy of the accident register of Muthu was marked as Ex.P12.



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5.7. Dr.Jegannathan (P.W.9) examined Kalidoss (P.W.1) at 09.20 p.m., on 28.09.2016 and noted the following injuries:

- (i) A 7x2x2 cm. lacerated wound on the high parietal region (head),
- (ii) Swelling on the rear forearm,
- (iii) Linear abrasions on the backside.

The copy of the accident register of Kalidoss (P.W.1) was marked as Ex.P13.

5.8. Dr.Jegannathan (P.W.9), in his evidence as well in the accident registers (Exs.P12 & P13), has stated that both Muthu and Kalidoss (P.W.1) were brought to the hospital by 108 Ambulance.

5.9. Dr.Jegannathan (P.W.9) sent intimation to the police, pursuant to which, Tamilselvan (P.W.15), Sub Inspector of Police, went to the Government Hospital, Paramakudi and received a written complaint (Ex.P1) from Kalidoss (P.W.1) attested by Chandrasekar (P.W.6), a resident of the locality.



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5.10. Based on the written complaint (Ex.P1), Tamilselvan (P.W.15), Sub Inspector of Police, registered a case in Emaneswaram Police Station Crime No.161 of 2016, under Sections 147, 148, 294(b), 323, 324, 307 and 302 I.P.C. on 29.09.2016 at 00.15 hours and prepared the printed first information report (Ex.P20), in which, Shanmugasekar (A1), Kaari (A2), Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6) have been shown as accused.

5.11. The express first information report (Ex.P20) was received by the jurisdictional Magistrate on the same day i.e. 29.09.2016 at 07.33 a.m., as could be seen from the endorsement thereon.

5.12. Investigation of the case was taken over by John Britto (P.W.16), Inspector of Police, who went to the place of occurrence and prepared an observation mahazar (Ex.P6) and rough sketch (Ex.P21).



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5.13. From the place of occurrence, the Investigating Officer (P.W.16) seized a paver block stone with bloodstain (M.O.5) and paver block stone without bloodstain (M.O.6) under a cover of mahazar (Ex.P7). The Investigating Officer (P.W.16) conducted inquest over the body of Muthu at the Government Hospital, Paramakudi and the inquest report was marked as Ex.P22.

5.14. All the accused surrendered before Kannan (P.W.8), Village Administrative Officer, and Shanmugasekar (A1) gave an extra-judicial confession (Ex.P8) narrating the entire sequence of events and confessing to the fact that he had attacked Muthu and caused his death along with others. Thereafter, Kannan (P.W.8), Village Administrative Officer, produced all the accused before the Investigating Officer, who placed them (accused) under arrest. Based on the police confession statement of Shanmugasekar (A1), two billhooks (M.Os.1 and 2) that were alleged to have been used by him (A1) and his (A1's) father Kaari (A2), were recovered under a cover of mahazar (Ex.P11).



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5.15. Dr.Thamilselvi (P.W.10) performed autopsy on the body of Muthu. She (P.W.10), in her evidence as well in the postmortem certificate (Ex.P16), has stated as follows:

“External injuries : Deep incised wound 6x2x1cm size over the occipital person with exposed. On exploration of the wound, fracture skull present over occipital and parietal bone.

Internal examination : On opening of thorax, blood collected (200 ml) in the thoracic cavity. Heart and lungs ruptured. Hyoid bone intact. On opening of abdomen, stomach contain semi digested food. All visceral organs are congested.

On opening of skull, fracture skull present. Blood collected in the skull (cranial cavity)

Time of death : prior to 12 – 16 hours of autopsy.

Cause of death : The deceased would appear to have died of shock and haemorrhage due to chest injury and head injury.

5.16. For the injuries sustained by Kesavan (P.W.4) and his wife Saravanapriya (P.W.5), they were examined by Dr.Thamilselvi (P.W.10) on 29.09.2016 at 08.20 a.m. On



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- (i) Two linear abrasions measuring 6x0.1x0.1 cms. on the left forearm.
- (ii) A cut injury measuring 0.1x0.1 cms. beneath the right thumb.

He (P.W.4) was treated as outpatient and the copy of accident register issued to him (P.W.4) was marked as Ex.P14.

5.17. Dr.Thamilselvi (P.W.10) examined Saravanapriya (P.W.5) at 08.25 a.m., on 29.09.2016. On examination, Saravanapriya (P.W.5) was found with the following injuries:

- (i) Swelling and pain in the left forearm.
- (ii) Swelling on the right upper hand.
- (iii) A linear abrasion measuring 6x0.1 cms. on the right chest.
- (iv) Pain in the abdomen.

She (P.W.5) was admitted as inpatient. The copy of accident register issued to her (P.W.5) was marked as Ex.P15.



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5.18. After examining various witnesses and collecting reports from the experts, the Investigating Officer (P.W.16) completed the investigation and filed a final report in P.R.C.No.1 of 2017, before the learned Judicial Magistrate, Paramakudi, under Sections 147, 148, 294(b), 302, 307, 323 and 324 I.P.C. against the accused.

6. On appearance of the accused, the provisions of Section 207 of the Code of Criminal Procedure were complied with and the case was committed to the Court of Session, Ramanathapuram, in S.C.No105 of 2017 and was made over to the Additional District and Sessions Court, Paramakudi, for trial. The Trial Court framed charges against the accused, as detailed in Paragraph No.3, supra.

7. When questioned, the accused pleaded "not guilty". To prove the case, the prosecution examined 16 witnesses and marked 24 exhibits and 06 material objects. When the accused were questioned under Section 313 of the Code of Criminal Procedure on the incriminating circumstances appearing against them, they denied the same and did not come forward to give any



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plausible explanation. No witness was examined from the side of the accused nor any document marked.

8. The Trial Court, after considering the evidence on record and hearing either side, by judgment and order dated 12.07.2019, acquitted accused 3 to 6 of all the charges, acquitted 1 and 2 of certain charges and convicted and sentenced accused 1 and 2, as detailed in Paragraph No.4 supra. Challenging the conviction and sentence imposed on Shanmugasekar (A1), he (A1) has filed Crl.A.(MD) No.346 of 2019; and challenging the acquittal of Kaari (A2) of the charge under Sections 148, 302 and 307 I.P.C., and acquittal of Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6) of all the charges, Kalidoss (P.W.1), *de facto* complainant, has filed Crl.A.(MD) Nos.513 and 526 of 2019 respectively.

9. Heard Mr.R.Manickaraj, learned counsel representing M/s.Veera Associates for accused 1 to 6; Mr.S.Kanagarajan, learned counsel appearing for the *de facto* complainant and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor appearing for the State.



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10. Mr.R.Manickaraj, learned counsel appearing for the defence, submitted that the police have not proved the place of occurrence properly, inasmuch as, the rough sketch (Ex.P21) does not show the house of Muthu and Kalidoss (P.W.1) and therefore, the presence of Kalidoss (P.W.1) at the place of occurrence is doubtful. He also contended that when Kalidoss (P.W.1) was taken to the hospital, he told the doctors that he (P.W.1) was attacked by seven persons, but only six persons have been prosecuted. He also stated that Dr.Jegannathan (P.W.9) had sent intimation to the police at 09.20 p.m., but the first information report (Ex.P20) in this case was registered only at 00.15 hours on 29.09.2016 i.e. nearly after three hours, after great deliberations. He further contended that in the accident registers (Ex.P12 & 13), it is stated that the accident had taken place near Gandhi Nagar and the exact place has not been mentioned.

11. Per contra, Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor appearing for the State, refuted the aforesaid submissions.

12. Mr.S.Kanagarajan, learned counsel appearing for the *de facto* complainant (P.W.1), contended that the Trial Court ought not to have



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acquitted Kaari (A2) of the charge under Sections 148, 302 and 307 I.P.C., because, he (A2) had joined Shanmugasekar (A1) in the attack mounted on Muthu and also attempted to murder Kalidoss (P.W.1). He also contended that the Trial Court ought not to have acquitted Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6) of all the charges, because they were also involved in the attack along with Kaari (A2) and therefore, they (A3 to A6) are also liable to be convicted.

13. We gave our anxious consideration to the aforesaid submissions.

14. Apart from three injured witnesses, namely, Kalidoss (P.W.1), Kesavan (P.W.4) and Saravanapriya (P.W.5), there are two other eyewitnesses, namely, Sathyamoorthi (P.W.2) and his wife Govindammal (P.W.3).

15. Kalidoss (P.W.1), in his evidence, has, *inter alia*, stated that in the year 2006, he married Maheswari (not examined), daughter of Muthu; he (P.W.1) has two children; he (P.W.1) came to his father-in-law's (Muthu's) house for the pregnancy of his wife Maheswari and thereafter, continued to stay there; he (P.W.1) knows the accused; he (P.W.1) is an Ambulance driver;



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on 28.09.2016, he (P.W.1) went for work and returned home in the evening at 8'o clock; while all of them were having dinner in the house, he (P.W.1) heard sounds of people quarrelling from the side of his brother-in-law's (P.W.4's) house; therefore, he (P.W.1) and his father-in-law (Muthu) went out to look what it was; at that time, they (P.W.1 and Muthu) saw Kesavan (P.W.4) and his brother Shanmugasekar (A1) quarrelling; Kaari (A2), Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6) were also there and they were manhandling Kesavan (P.W.4); his (P.W.1's) father-in-law Muthu intervened and asked them as to why they were quarrelling; irked at that, the accused abused them (P.W.4 and Muthu) in filthy language and thereafter, Shanmugasekar (A1) and Kaari (A2) went into their house and brought a billhook (M.Os.1 and 2) each; Shanmugasekar (A1) hacked on his (P.W.1's) father-in-law's (Muthu's) head; he (Muthu) fell down; at that time, the others indiscriminately trampled him (Muthu); therefore, he (P.W.1) went to save his father-in-law (Muthu) and at that time, Kaari (A2) hacked him (P.W.1) on his (P.W.1's) head; when Saravanapriya (P.W.5) interceded, her (P.W.5's) tresses were held by Dhanalakshmi (A4), Akila (A5) and Aparna (A6) and she was dragged on the floor; the neighbours Sathyamoorthy (P.W.2), Govindammal (P.W.3), Meenal (not examined) and Chandrasekar (P.W.6) heard the noise and came to the place of occurrence and separated them; Sathyamoorthy (P.W.2)



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called 108 Ambulance and along with his (P.W.1's) father-in-law (Muthu), he (P.W.1) went to Paramakudi Government Hospital, where, the doctor examined Muthu and declared him (Muthu) brought dead; he (P.W.1) was admitted in the hospital for the injuries sustained by him (P.W.1); he (P.W.1) dictated a complaint to Chandrasekar (P.W.6) around 10.15 p.m., and thereafter, he (P.W.1) gave the complaint (Ex.P1) to the police, who came there; on the next day i.e. 29.09.2016, around 5'o clock in the evening, he (P.W.1) was sent to the Government Hospital, Ramanathapuram, for better treatment, for the head injury sustained by him.

16. Kalidoss (P.W.1) was subjected to a grilling cross-examination, but the defence was not able to make any dent in his (P.W.1's) testimony.

17. The evidence of Kalidoss (P.W.1) has been substantially corroborated by Sathyamoorthi (P.W.2), Govindammal (P.W.3), Kesavan (P.W.4) and Saravanapriya (P.W.5).

18. In this case, the deceased party and the accused party are close relatives. The quarrel was between Kesavan (P.W.4) and his elder brother Shanmugasekar (A1) in connection with non-payment of electricity



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charges by Kesavan (P.W.4). The parents of Kesavan (P.W.4), namely, Kaari (A2) and Mandiammal (A3) were on the side of his (P.W.4's) elder brother Shanmugasekar (A1). All the eyewitnesses have stated that around 08.40 in the night, Shanmugasekar (A1), Kaari (A2), Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6), who were residing next door, quarrelled with Kesavan (P.W.4) and he was manhandled.

19. It is to be noted that the incident in this case had taken place in the street in front of the house of Kesavan (P.W.4). Kalidoss (P.W.1), in his cross-examination, has stated that his (P.W.1's) father-in-law's (Muthu's) house is on the south side of the street, in which the incident had taken place. It has been specifically suggested by the defence in the cross-examination of Kalidoss (P.W.1) that his (P.W.1's) father-in-law's (Muthu's) house was 100 ft. away from the place of occurrence, which suggestion, the witness (P.W.1) has accepted. Thus, it is apparent that the house of the deceased Muthu was just 100 ft. away from the house of his (Muthu's) son-in-law Kalidoss (P.W.1) and when he (P.W.1) heard the sounds of quarrel, it was quite natural for him (P.W.1) to intervene.



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20. Just because in the accident registers (Exs.P12 & 13), it is stated that seven persons had mounted the attack near Gandhi Nagar, this, by itself, would not be sufficient to dislodge the testimony of the injured witnesses, namely, Kalidoss (P.W.1), Kesavan (P.W.4) and Saravanapriya (P.W.5). That apart, the independent witnesses, namely, Sathyamoorthi (P.W.2), Govindammal (P.W.3) and Chandrasekar (P.W.6), who were all neighbours, have also stated that the attack had taken place near the house of Kesavan (P.W.4). The area where the houses are located is Gandhi Nagar. Immediately after the occurrence, Muthu and Kalidoss (P.W.1) were taken to the hospital and they [Muthu and Kalidoss (P.W.1)] were examined by Dr.Jegannathan (P.W.9). The nature of injuries sustained by the deceased Muthu and Kalidoss (P.W.1) corroborate the testimony of the eyewitnesses.

21. As regards the contention that there was a delay in registration of the first information report (Ex.P20), we do not find any substance in it, because, on receipt of the intimation from the hospital on the night of 28.09.2016, the police from Emaneswaram Police Station went to Paramakudi Government Hospital and received the written complaint (Ex.P1) from Kalidoss (P.W.1) and thereafter, returned to the Police Station and



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prepared the printed first information report (Ex.P20) at 00.15 hours on 29.09.2016, which has reached the jurisdictional Magistrate on the same day i.e. 29.09.2016 at 07.33 a.m. Thus, in the facts and circumstances of the case, it cannot be stated that there was a delay in the registration of first information report (Ex.P20) by the police.

22. Mr.R.Manickaraj, learned counsel appearing for the defence, contended that Shanmugasekar (A1) did not have any motive against Muthu at all and his grievance is only against Kesavan (P.W.4). The evidence shows that initially, Shanmugasekar (A1) and Kaari (A2) were not armed with any weapon. They (A1 and A2) were only quarreling with Kesavan (P.W.4) and his wife Saravanapriya (P.W.5) as to why they (P.W.4 and P.W.5) had not paid electricity charges. Seeing the quarrel, when Kesavan's (P.W.4's) father-in-law (Muthu) and brother-in-law [Kalidoss (P.W.1)] intervened, their (A1 and A2's) entire anger turned against them [Muthu and Kalidoss (P.W.1)], because they (A1 and A2) thought that only at the instigation of Muthu, Kesavan (P.W.4) was acting. Hence, Shanmugasekar (A1) and Kaari (A2) rushed to their house, brought a billhook (M.Os.1 and 2) each and Shanmugasekar (A1) attacked Muthu on his head and similarly, Kaari (A2) also attacked Kalidoss (P.W.1). Fortunately, Kalidoss (P.W.1) survived.



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23. It is trite that the evidence of an injured witness has to be kept at a higher pedestal as alluded to in the Supreme Court Judgment in ***Abdul Sayeed vs. State of Madhya Pradesh [(2010) 10 SCC 259]***, wherein in Paragraph No.30, it is held as follows:

“30.The law on the point can be summarised to the effect that the testimony of the injured witness is accorded a special status in law. This is as a consequence of the fact that the injury to the witness is an inbuilt guarantee of his presence at the scene of the crime and because the witness will not want to let his actual assailant go unpunished merely to falsely implicate a third party for the commission of the offence. Thus, the deposition of the injured witness should be relied upon unless there are strong grounds for rejection of his evidence on the basis of major contradictions and discrepancies therein.” (emphasis supplied)

24. As regards the acquittal of Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6), we do not find any infirmity in the judgment and order of the Trial Court warranting interference, inasmuch as, they (A3 to A6) were only quarrelling with Kesavan (P.W.4), and after Kalidoss (P.W.1) and Muthu intervened, it was Shanmugasekar (A1) and Kaari (A2), who went into



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their house, brought a billhook (M.Os.1 and 2) each and attacked Muthu and Kalidoss (P.W.1), for which, Mandiammal (A3), Dhanalakshmi (A4), Akila (A5) and Aparna (A6) cannot be mulcted with any criminal liability.

25. As regards the attack of Kaari (A2) on Kalidoss (P.W.1), the Trial Court has convicted him (A2) under Sections 324 I.P.C., which also cannot be said to be totally illegal as the injury suffered by Kalidoss (P.W.1) was found to be simple in nature by Dr.Jegannathan (P.W.9).

26. For all the aforesaid reasons, we find no infirmity in the judgment and order of the Trial Court warranting interference.

27. In the result,

- All the criminal appeals are dismissed.
- The judgment and order dated 12.07.2019, in S.C.No.105 of 2017, on the file of the Additional District & Sessions Court, Paramakudi, is upheld.
- Suspension of sentence granted by this Court on 02.03.2021 in Crl.M.P.(MD) No.9360 of 2019 in Crl.A.(MD) No.346 of 2019 and the order dated



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Crl.A.(MD) Nos.346, 513 & 526 of 2019

03.09.2021 in Crl.M.P.(MD) No.6038 of 2021 in Crl.A.(MD) No.346 of 2019 relaxing the appeal bail conditions imposed on the Shanmugasekar (A1) stand cancelled.

- Since Shanmugasekar (A1) is on bail, the respondent police is directed to secure him (A1) and produce him (A1) before the Trial Court forthwith and to commit him to prison to serve out the period of sentence.

[P.N.P., J.]

[R.H., J.]

02.09.2022

Index : Yes / No

Internet : Yes / No

krk



Crl.A.(MD) Nos.346, 513 & 526 of 2019

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To:

- 1.The Additional District & Sessions Judge,
Paramakudi.
- 2.The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Record Keeper,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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Crl.A.(MD) Nos.346, 513 & 526 of 2019

P.N.PRAKASH, J.
and
R.HEMALATHA, J.

krk

COMMON JUDGMENT
IN
Crl.A.(MD) Nos.346, 513 & 526 of
2019

02.09.2022