



Crl.A.No.673 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Reserved on 01.08.2023

Delivered on 22.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA

KURUP

Crl.A.No.673 of 2016

- 1.Thangammal
- 2.Marimuthu
- 3.Periyasamy
- 4.Mayavan

...De facto Complainants/
De facto Complainants/Appellants

-Vs-

- 1.The State
Represented by Sub-Inspector of Police,
Velur Police Station,
(Crime No.426/2005)
- 2.Senguttuvan
- 3.Manikandan @ Rushikesavan
- 4.Kumar

...Complainant/Respondent
Respondent

...Accused/Appellants
Respondents

Prayer:- Criminal Appeal filed under Section 378 of the Criminal Procedure Code, 1973, praying to set aside the judgment made in Crl.A.No.52 of 2014 dated 27.11.2015 on the file of the learned Principal District and Sessions Judge, Namakkal, reversing the judgment of the conviction passed in C.C.No.14 of 2006, dated 17.07.2014, on the file of



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the learned District Munsif-cum-Judicial Magistrate, Paramathi.

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For Appellants : Mr.M.Sounder Vijay Arul Ram
for Mr.R.C.Paul Kanagaraj

For R1 : Ms.G.Kasthuri
Additional Public Prosecutor

For R2 & R4 : Mr.S.Ashok Kumar,
Senior Counsel
for Mr.S.K.Chandrakumar

R3 : Died

J U D G M E N T

The challenge in this Appeal is to the judgment of the learned Principal District and Sessions Judge, Namakkal, by judgment dated 27.11.2015, made in Crl.A.No.52 of 2014, reversing the order of the conviction passed in C.C.No.14 of 2006 by judgment dated 17.07.2014, on the file of the learned District Munsif-cum-Judicial Magistrate, Paramathi.

2. Brief facts which are necessary for the disposal of this Criminal Appeal, are as follows:-

- (a) P.W-1 - Kuppusamy, who is residing with his family in Nanjai Edayar Village, Namakkal.
- (b) On 30.12.2005, by around 5 p.m. he, along with his sister



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Thangamal, and her son Mayavan - P.W-2, proceeded towards the Nanjai Edayar Kaveri river bank. At that time, A1-Senguttuvan, S/o. Natesan @ Natarajan, A2-Manikandan @ Rusikesavan S/o.Sundarrajan and A3-Kumar S/o. Gopalakrishnan, each of them had in their hands the handle of pickaxe fitted with metal ring. With those weapons, they had attacked P.W-1- Kuppusamy and P.W- 2- Mayavan, the cousin of P.W-1. P.W-1 suffered injuries on the head and on his left elbow. A1 had caused injuries on the head of P.W-1. A2 had caused injuries on the left elbow of P.W-1. A3 also caused injuries on the head of P.W.1. To break out the attack, P.W-2 intervened, and he too suffered injuries in the hands of A1 to A3. Hearing the cries of P.W-1 and P.W-2, the sons of P.W-1, P.W-3 and P.W-4 rushed to the place of occurrence and intervened there, preventing A1 to A3 from further attack by P.W-1 and P.W-2. Also, Thiru.Periyasamy, P.W-3 and Thiru.Marimuthu, P.W-4 came to the rescue of P.W-1 and P.W-2 and took them to the Government Hospital, Paramathi, Namakkal. After first aid P.W-1 and P.W-2 were taken to the Government Hospital, Paramathi, Namakkal, P.W-9, the Inspector of Police, Paramathi, Velur Police Station, had



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received the complaint from P.W-1 under Ex.P-1 and registered the FIR under Ex.P-6 for the offences under Sections 341, 324, 326, 506(ii) of IPC in Crime No.426 of 2005.

- (c) After registering the FIR under Ex.P-6, he proceeded to the scene of the occurrence and prepared the Rough Sketch under Ex.P-7 and Observation Mahazar under Ex.P-2 in the presence of P.W-6 and P.W-7. P.W-9 had examined injured witnesses, P.W-1 and P.W-2. The witnesses available in the scene of occurrence are P.W-3 and P.W-4. P.W-9 had examined P.W-8, P.W-10 and P.W-11 - Doctors, who had treated the injured and recorded their statements. He also received the documents regarding the treatment of the injured, P.W-1 and P.W-2 under Ex.P-8 and Ex.P-9.
- (d) After completion of the investigation, he laid a final report before the learned Judicial Magistrate.
- (e) On the appearance of A1 to A3, copies were furnished under Section 207 of Cr.P.C. A1 to A3 were questioned regarding the ability to engage Counsel, and A1 to A3 were bound over to the Court of the learned District Munsif-cum-Judicial Magistrate, Paramathi. The learned Trial Judge had taken cognizance of the offences under



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Sections 341, 324, 326, 506(ii) of IPC. The case was taken as C.C.No.14 of 2006.

- a) On receipt of the case records in C.C.No.14 of 2006, the learned District Munsif-cum-Judicial Magistrate, Paramathi, had taken the case on file.
- b) On appearance of A1 to A3, and hearing the learned Public Prosecutor for the State and the learned Counsel for A1 to A3, the learned District Munsif-cum-Judicial Magistrate, Paramathi, had framed the charges.
- (f) A1 to A3 denied the charges and claimed to be tried. Therefore, the trial was ordered.
- (g) To prove the charges, the Prosecution had examined P.W-1 to P.W-11 under Ex.P-1 to Ex.P-9. After completion of the Prosecution evidence, A1 to A3 were questioned under Section 313 of Cr.P.C. regarding the incriminating evidence against them. A1 to A3 denied the charges. A1 to A3 did not contain any evidence.
- (h) After hearing the Prosecution and the Defence, the learned District Munsif-cum-Judicial Magistrate, Paramathi, by judgment dated 17.07.2014 in C.C.No.14 of 2006, had convicted A1 to A3 for the



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following offence as follows:-

Accused	Conviction under section
A1	341, 323, 325 of IPC
A2	341, 325 of IPC
A3	341, 323 of IPC

Accused	Conviction under section	Sentence awarded
A1 to A3	341 of IPC	To pay a fine of Rs.500/- each and in default to undergo one month of simple imprisonment each.
A1 to A3	323 of IPC	To undergo six months of simple imprisonment each.
A1 and A2	325 of IPC	To undergo three years of simple imprisonment each and to pay a fine of Rs.3,000/- each and in default to undergo six months of simple imprisonment each.

A1 to A3 were acquitted from the charges for the offences under Section 506(2) of IPC. A2 and A3 were acquitted from the charges for the offences under Section 324 of IPC. A1 is ordered to run concurrently the sentences of imprisonment awarded under Sections 323 and 325 of IPC.

(i) Aggrieved by the judgment of conviction recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi, A1 to A3 had



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preferred the Criminal Appeal in Crl.A.No.52 of 2014.

(j) After hearing the arguments of the learned Counsel for the Appellants and the learned Public Prosecutor for the State, the learned Principal District and Sessions Judge, Namakkal, by judgment dated 27.11.2015, had acquitted A1 to A3.

(k) Aggrieved by the judgment of acquittal, the De facto Complainants had filed this Criminal Appeal.

3. Learned Counsel for the Appellants submitted that Crl.A.No.52 of 2014 had been preferred by A1 to A3 before the learned Principal District and Sessions Judge, Namakkal, against the judgment of conviction recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi, in C.C.No.14 of 2005, the learned Principal District and Sessions Judge, Namakkal, by judgment dated 27.11.2015 had acquitted A1 to A3 for the charges on the ground that independent witnesses were not examined. The witnesses who were examined before the Trial Court were sons of P.W-1 and cousin of P.W-1, and the weapons alleged to have been used in the crime had not been recovered by the Investigation Officer. Therefore, the De facto Complainants before the Trial Court had



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approached this Court by filing this Appeal against the acquittal.

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4. It is the submission of the learned Counsel for the Appellants that P.W-1 and P.W-2 are injured witnesses. In support of the depositions, the Doctors who had treated the injured were examined as witnesses and the medical reports regarding the same were also marked in the Trial Court. There is sufficient evidence before the Trial Court to convict A1 to A3 under Section 325 of IPC and the judgment of the learned District Munsif-cum-Judicial Magistrate, Paramathi, in C.C.No.14 of 2006 is a well-reasoned judgment.

5. While so, in Crl.A.No.52 of 2014, the learned Principal District and Sessions Judge, Namakkal, had ignored the main ground that the evidence of injured witnesses was supported by medical evidence and acquitted A1 to A3 on the ground that independent witnesses were not examined. Therefore, the learned Counsel for the Appellants seeks to set aside the judgment of the learned Principal District and Sessions Judge, Namakkal, in Crl.A.No.52 of 2014 and to restore the judgment of conviction recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi.



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6. Learned Counsel for the Appellants relied on the reported ruling of this Hon'ble High Court in the case of ***Mookapandi Vs. State through the Inspector of Police, Uthappanaickanoor Police Station, Uthappanaickanoor, Madurai District***, in CrI.R.C(MD).No.857 of 2007 and seeks to restore the judgment of the learned District Munsif-cum-Judicial Magistrate, Paramathi.

7. Learned Additional Public Prosecutor for the 1st Respondent relied on the ruling of the Hon'ble Supreme Court in the case of ***Ganesan Vs. State Represented by its Inspector of Police*** reported in ***(2020) 10 SC 573*** regarding the delay in registering the FIR, and in support of her contention, the learned Additional Public Prosecutor submitted that in the absence of the weapon, non-protection of the weapon cannot be a ground to acquit A1 to A3. Further, ruling regarding the shoddy investigation cannot be grounds for acquittal.

8. Learned Senior Counsel for Respondents 2 and 4 submitted that A1 to A3 and the injured witnesses are relatives. There had been a civil



dispute between them. Further, he would state that P.W-2 was cross-examined. He lost his teeth in the accident and had it used to foist the case to wreck vengeance on A1 to A3.

9. Therefore, it is the contention of the learned Senior Counsel for Respondents 2 and 4 that the evidence under Section 341 of IPC was not at all attracted. Further, he would submit that the evidence in cross-examination of P.W-1 to P.W-4 shows that the occurrence took place in the evening between 5 p.m. and 5.30 p.m. near Kaveri river bank. There is every likelihood of people available near the river bank either going towards the river to take bath or returning from the river after taking bath. While so, the only witnesses in the Prosecution case are P.W-2, who is a cousin / nephew, P.W-3 and P.W-4. P.W-5 is the daughter-in-law of P.W-1. P.W-8 is the Doctor, who had stated that if the case of the Prosecution is to be accepted, based on the weapon handle, pickaxe (மண் வெட்டி) is used. There will be the possibility of external injury on the face of the P.W-2 and there will be injuries resulting in fracture to the head of P.W-1. Therefore, the learned Principal District and Sessions Judge, Namakkal, had on proper appreciation of evidence, acquitted A1 to A3 considering the evidence of



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the Prosecution Witness, P.W-1 to P.W-4. The evidence of P.W-1 shows that no one was available when the occurrence took place, which is unbelievable. Therefore, the learned Senior Counsel for Respondents 2 and 4 seeks to dismiss this Appeal as having no merits. The judgment of the learned Principal District and Sessions Judge, Namakkal, is well-reasoned judgment and does not warrant any interference from this Court.

10. The learned Senior Counsel further submitted that the 3rd Respondent, namely, Manikandan @ Rushikesavan, died and his death certificate is also enclosed.

11. The learned Senior Counsel relied on the ruling of this Hon'ble High Court in the case of ***Sampath Vs. State represented by Sub Inspector of Police, Dusi Police Station***, in CrI.R.C.No.1132 of 1995 dated 06.07.2000.

12. The learned Senior Counsel for Respondents 2 and 4 relied on the reported ruling of the Hon'ble Supreme Court are as follows:

a) In the case of ***Hansa Vs. State of Punjab*** in reported in ***AIR 1977***



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b) In the case of *Jagat Pal Singh and others Vs. State of Haryana* reported in *AIR 2000 SC 3622(1)*.

13. Point for consideration:

Whether the judgment of acquittal recorded by the learned Principal District and Sessions Judge, Namakkal, in Crl.A.No.52 of 2014 dated 27.11.2015 is to be set aside as perverse and the judgment of conviction recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi, Vellore in C.C.No.14 of 2006 dated 17.07.2014 is to be restored?

14. Heard, Mr.M.Sounder Vijay Arul Ram, learned Counsel for the Appellants/De facto Complainants, Ms.G.Kasthuri, learned Additional Public Prosecutor for the State and Mr.S.Ashok Kumar, learned Senior Counsel for Respondents 2 and 4.

15. Perused the evidence of Prosecution Witnesses, P.W-1 to P.W-11, Ex.P-1 to Ex.P-9, the judgment of the learned District Munsif-cum-Judicial Magistrate, Paramathi, in C.C.No.14 of 2006 dated 17.07.2014, and the judgment of the learned Principal District and Sessions Judge,



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Namakkal, in Crl.A.No.52 of 2014.

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16. On perusal of the evidence of the Prosecution Witnesses, P.W-1 to P.W-4, P.W-5 and the evidence of Doctors, P.W-8, P.W-10 and P.W-11, and the Investigation Officer, P.W-9, it is found that the injured witnesses are the P.W-1, P.W-2. P.W-3 and P.W-4 are not injured witnesses. P.W.8 had in her evidence stated that she had seen the injured on 30.12.2012 by 7.10 p.m. P.W-1, Kuppussamy stated that he was attacked by A1 to A3 with the handle of pickaxe (மண்வெட்டி) and she had issued Ex.P-4. Similarly, P.W-2, Mayavan had stated that he was also attacked by A1 to A3 by (மண்வெட்டி) and he had suffered loss of teeth. P.W-8 issued Ex.P-5 for the injuries suffered by P.W-2. Ex.P-4 reported that there was bruising in the head of P.W-1 and a fracture in the left elbow. The left forearm was found to be fractured, and it was stated to be grievous injury. P.W-10 is the Doctor of Government Head Quarters Hospital, Namakkal, had stated that on 30.12.2015, he had taken x-rays on P.W-1. From the x-rays, it was found that on the left elbow, the ulna bone was fractured. He was forwarded to Government Medical College Hospital, Salem, for further treatment. The case sheet of the said P.W-1 was marked as Ex.P-8 and the x-rays were marked as M.O-1, M.O-2, M.O-3. In the cross-examination, he



had accepted the suggestion of the defence that even in a road accident, the same injuries could have happened. P.W-11 is Dr.K.V.Sundararajan, had stated that he had examined P.W-2 and found that on the upper jaw, the front teeth were missing and it was bleeding. One of the teeth was half-broken. The lips were swollen, the other teeth were shaking, and it was treated as grievous injury. P.W-11 in his cross-examination, stated similar injuries could have been caused in the road traffic accident. Also, P.W-1 and P.W-2 are the injured witnesses, supported by the evidence of P.W-8, P.W-10, and P.W-11. P.W-3 and P.W-4 are the sons of P.W-1. P.W-5 is the daughter-in-law of P.W-1. Considering the fact that the incident alleged by P.W-1 to P.W-4 had taken place due to the attack by A1 to A3 with the handle of pickaxe. P.W-8 had stated that if the handle of pickaxe with metal ring is used to attack a person with force, there is a likelihood that the person will suffer fracture of the skull, resulting in death as well. As per P.W-1 and P.W-2, the injured witnesses were attacked with the handle of pickaxe with metal ring (மண்வெட்டி கைப்பிடி அதில் இரும்பு வலயம் பொருத்தப்பட்டது). There were no injuries found on the face of P.W-2. The injury found on the head of the P.W-1 was lacerated injury and lacerated injury along with the left elbow fracture could have occurred even



in the case of the road accident. Similarly, it is the case of P.W-2 that the fall of the front upper jaw teeth and the bleeding injury on the mouth, swollen lips, and loosened teeth could have been caused by a road traffic accident. Therefore, the circumstances highlighted by the defence that the road traffic accident was exploited by P.W-1 and P.W-2 to incriminate A1 to A3 to settle scores with an ulterior motives, there is specific dispute between A1 to A3 and the Prosecution Witnesses pending before the Civil Court.

17. As per the evidence of P.W-3 and P.W-4, P.W-3 and P.W-4 are the sons of P.W-1 before the Trial Court. They had seen the occurrence roughly 100 feet away from the place of occurrence, and they had intervened when there were pull and push between P.W-1 and P.W-2 and A1 to A3. The pull and push resulting in injuries to P.W-1. The son of P.W-1 and any other normal human will not be remaining calm seeing their father being hit with weapon and suffering bleeding injuries. Therefore, the evidence of P.W-3 and P.W-4 intervening and separating them is found unbelievable in the facts and circumstances of this case from the perspective of the ordinary prudent man.



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18. In the light of the above circumstances, the occurrence took place between 5 p.m. and 5.30 p.m. on the banks of the river Kaveri. There is evidence in the cross-examination of P.W-1 to P.W-4 that in the evening as well as in the early morning, people from nearby places go to take bath in the Kaveri river. While so, there was no independent witness cited by the Investigation Officer. The evidence of P.W-9, Investigation Officer, that independent witnesses were not available when he visited the scene of the crime is found unbelievable and unacceptable. Therefore, the finding of guilt recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi, on assessment of the evidence is found to be mechanically deducting the facts without sifting the evidence.

20. The submission of the learned Counsel for the Appellants/De facto Complainants that the evidence of the injured witnesses is supported by medical witnesses. The learned Principal District and Sessions Judge, Namakkal, failed to appreciate the evidence, stating that there were no independent witnesses. Instead of sifting the evidence along with the facts and circumstances of this case, the learned District Munsif-cum-Judicial



Magistrate, Paramathi, had accepted the Prosecution case on the lines of "weight of evidence". The quantity of Prosecution Witnesses, P.W-1 to P.W-4 had supported the case of the Prosecution along with P.W-8, P.W-10, and P.W-11. The learned District Munsif-cum-Judicial Magistrate, Paramathi, failed to sift the evidence based on normal human conduct and the materials available in the cross-examination of the Prosecution Witnesses, P.W-1 to P.W-4, P.W-8, P.W-10 and P.W-11.

21. If the number of witnesses supporting the case of the Prosecution is to be accepted then the conviction recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi, in C.C.No.14 of 2006 dated 17.07.2014, is to be accepted and confirmed. That is not exercising discretion in rendering justice by Court of law invoking the jurisprudence in criminal law.

22. The appreciation of evidence is not the quantity of witnesses examined in the cross-examination. It is to be the quality of the witnesses that even a single witness can be believed and inspire the confidence of the Court. Whether the witness speaks the truth. That yardstick had not been



considered by the learned Trial Judge, he had considered the principle “weight of evidence” and not the “quality of the witnesses”.

23. It is a defence of A1 to A3 that there had been civil cases pending in the Civil Court between A1 to A3 and the Prosecution Witnesses, P.W-1 to P.W-4. While so, to wreck the vengeance on A1 to A3, P.W-1 had foisted the case against A1 to A3 using this complaint under Ex.P-1. Had it been a true occurrence, there could have been independent witnesses cited by the Prosecution. In the absence of any independent witnesses believing P.W-1 corroborated by P.W-2, nephew of P.W-1 further corroborated by P.W-3 and P.W-4, who are the sons of P.W-1, along with the evidence of P.W-8, P.W-10 and P.W-11, is found to be unbelievable. In the cross-examination of P.W-8, P.W-10 and P.W-11, it is found that if the weapon of the handle of pickaxe fitted with metal ring is used to cause injury on the head with a force by A1 to A3. There is every likelihood of P.W-1 losing his life due to fracture of the skull that results in damage and injury on the brain. Here, it is not the case that he had suffered bruise on the head and a fracture in the left or right elbow. Similar is the case with the injury on P.W-2 front upper jaw teeth, broken other teeth, shaking lips swollen.



Therefore, the probabilities of the case have to be considered by the learned Judge. When there is doubt in the Prosecution version the benefit of doubt should be extended to A1 to A3. As stated in the cross-examination by P.W-8, Doctor, if it had been attacked on P.W-2 and the handle of pickaxe fitted with metal ring, his skull would have been fractured, resulting in death. There was no visible injury on the face of P.W-2 on both sides of the chin. It is to be noted that P.W-1 and P.W-2 were examined by P.W-8 by around 7 p.m. Therefore, physical injuries will be fresh and there was no physical injuries on the face except with loosened teeth, and the swollen lips of P.W-2. In those circumstances, the analysis of the facts and circumstances of this case by the learned Principal District and Sessions Judge, Namakkal, disbelieving the Prosecution case is found to be reasonable. The quality of the witnesses was considered by the learned Appellate Judge, whereas the learned Trial Judge had gone by the quantity of the number of witnesses corroborating the case of the Prosecution.

24. On perusal of the judgment of the learned District Munsif-cum-Judicial Magistrate, Paramathi, this Court is unable to accept the finding of guilt recorded by the learned Trial Judge mechanically believing the



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Prosecution Witnesses, P.W-1 to P.W-4 and corroborated with the evidence of P.W-8, P.W-10 and P.W-11. The learned District Munsif-cum-Judicial Magistrate, Paramathi, failed to appreciate evidence by sifting the evidence of P.W-1 to P.W-4. Therefore, in the light of the judgment of the learned District Munsif-cum-Judicial Magistrate, Paramathi, in C.C.No.14 of 2006 dated 17.07.2014 and in the light of the judgment of the learned Principal District and Sessions Judge, Namakkal, in Crl.A.No.52 of 2015 dated 27.11.2015, the judgment of the Principal District and Sessions Judge, Namakkal, is found acceptable that it is on proper appreciation of evidence by sifting the evidence and considering the quality of the evidence from the angle of the normal human conduct of the witnesses. Therefore, as rightly pointed out by the learned Senior Counsel for Respondents 2 and 4, the Appellate Court shall not disturb the finding of acquittal if it is based on proper appreciation of evidence. Here, the learned Appellate Judge had disturbed the finding of guilt recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi, on the ground that the learned Trial Judge had not considered the materials available in the cross-examination of P.W-1 to P.W-4 and P.W-8, P.W-9, P.W-10 and P.W-11. Considering the time of occurrence between 5 p.m. and 5.30 p.m., there is every likelihood of



people available near the river bank either going towards the river to take bath or returning from the river after taking bath. In the absence of any independent witnesses, the evidence of P.W-9, Investigation Officer, that there was no independent witness at that time cannot at all be accepted. P.W-3 and P.W-4 are the sons of P.W-2. They had stated that between 5 p.m. and 5.30 p.m., there are people coming to the river. The learned District Munsif-cum-Judicial Magistrate, Paramathi, did not assess evidence as per the provisions of the Indian Evidence Act by sifting the evidence. Whereas, the learned Appellate Judge had assessed the evidence by sifting the evidence. Therefore, the benefit of doubt available in the Prosecution case was given to A1 to A3, and A1 to A3 were acquitted from the charges for the offences under Section 506(2) of IPC. A2 and A3 were acquitted from the charges for the offences under Section 324 of IPC.

25. The High Court will be cautious in reversing the finding of acquittal, as rightly pointed out by the learned Senior Counsel. There are loopholes in the evidence of the Prosecution Witnesses, particularly P.W-1 to P.W-4 and P.W-8, P.W-9, P.W-10 and P.W-11. The evidence in cross-examination of P.W-9 that there are no witnesses available in the place of the alleged occurrence was found unacceptable in the light of the evidence



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of cross-examination of P.W-3 and P.W-4, the sons of P.W-1. Similarly, the finding of guilt recorded by the learned District Munsif-cum-Judicial Magistrate, Paramathi based on the evidence of P.W-1 to P.W-4 and P.W-8, P.W-10 and P.W-11, medical evidence, without considering the cross-examination of P.W-8, P.W-10 and P.W-11 and recording the conviction, is found unacceptable.

26. In the light of the above discussion, the point for consideration is answered in favour of the Respondents and against the Appellant.

In the result, the Appeal stands **dismissed** as having no merits. The judgment of conviction and sentence of imprisonment awarded by the learned District Munsif-cum-Judicial Magistrate, Paramathi, in C.C.No.14 of 2006, vide judgment dated 17.07.2014, is hereby set aside and the judgment of acquittal passed by the learned Principal District and Sessions Judge, Namakkal, is confirmed.

22.12.2023

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Speaking/Non-speaking order



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To

- 1.The Principal District and Sessions Judge,
Namakkal.
- 2.The Sessions Judge (FTMC),
Uthagamandalam, Nilgiris.
- 3.The Inspector of Police,
All Women Police Station,
Uthagamandalam Town,
Niligirs District.
- 4.The Public Prosecutor,
High Court, Madras.
- 5.The Section Officer, VR Records,
High Court, Chennai.

SATHI KUMAR SUKUMARA KURUP, J.,



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**Judgment in
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