



CRL.A. No.254/2021

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

| Reserved on | Pronounced on |
|-------------|---------------|
| 06.06.2024  | 12.06.2024    |

**CORAM**

**THE HONOURABLE MR. JUSTICE M.DHANDAPANI**

**CRL.A. NO.254 OF 2021**

1. Yogaraj  
2. Banumathi ..Appellants

**- Vs -**

State rep. By  
The Inspector of Police  
Teynampet Police Station  
Chennai. .. Respondent

Criminal Appeal filed u/s 374 (2) Cr.P.C. praying this Court to set aside the judgment of conviction and sentence dated 1.2.2021 passed by the learned Sessions Judge, Magalir Neethi Mandram, Mahila Court, Chennai, in S.C. No.247/2015.

For Appellants : Mr.V.Parthiban, for  
M/s. T.R. Sivaram

For Respondent : Mrs. G.V.Kasthuri, APP



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### **JUDGMENT**

Assailing the judgment dated 01.02.2021 passed by the learned Sessions Judge, Mahila Court, Chennai, in S.C. No.247/2015, in and by which the appellants herein, who were charged for the offences u/s 498-A, 404 (B) and 306 IPC were found guilty of the offences u/s 498-A and 306 IPC and each of them were sentenced to simple imprisonment for a period of one year u/s 498-A IPC together with fine of Rs.5,000/-, in default to undergo simple imprisonment for one month and to simple imprisonment for a period of five years u/s 306 IPC together with fine of Rs.10,000/- each, in default to undergo simple imprisonment of three months. The sentences were directed to run concurrently and the period of incarceration already undergone by the accused were ordered to be set off against the respective accused u/s 428 Cr.P.C., the present appeal has been filed by the appellants.

2. The case of the prosecution, as could be culled out from the materials available on record, in brief, is as under :-



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P.W.1 is the mother of the deceased; P.W.2 is the grandfather of the deceased and P.W.3 is the brother of the deceased. The appellants, viz., A-1 and A-2 are the husband and mother-in-law of the deceased. P.W.s 4 and 5 are the relatives of the deceased.

3. The marriage between A-1 and the deceased was performed on 2.6.2014 after observing the formalities by the elders in the family. In short, the marriage between the deceased and A-1 was an arranged marriage. After the marriage, the deceased and A-1, along with A-2 were living at Chennai. At the time of performing the marriage, the deceased was given 25 sovereigns of gold jewels and A-1 was given 5 sovereigns of jewels in addition to Rs.1 Lakh towards marriage expenses.

4. It is the further case of the prosecution that A-2 was in the habit of ill-treating the deceased and had castigated the deceased and her family members in front of A-1, which was informed by the deceased to P.W.1. It is the further case of the prosecution that the deceased accompanied by A-1 had gone to her parental abode during the Tamil month of Aadi and for performing certain



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marriage related rituals and after completion of the same, A-1 had left the deceased at her parental home and returned back to Chennai. A-1 had asked the deceased to come back to Chennai before the completion of the Tamil month of Aadi due to the ensuing VinayakarChathurthi festival. Accordingly, P.W.2 had taken the deceased and left her at her matrimonial home.

5. It is the further case of the prosecution that on 5.9.2014, at about 11.30 a.m., the uncle of A-1 had called and informed that the deceased was not feeling well and that her pulse had reduced and that she was being taken to the hospital in an ambulance. Thereafter, on repeated queries by P.W.1, it was informed that the deceased had breathed her last. Upon coming to know that the deceased had died, P.W.1 accompanied by P.W.s 2, 4, 5 and other relatives went to Chennai and coming to know that the death of the deceased was shrouded in mystery, as she had died within three months from the culmination of marriage, P.W.1 and others went to Teynampet Police Station, where the complaint, Ex.P-1, had already been lodged by A-1.



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6. P.W.12, the Sub-Inspector of Police attached to Teynampet Police Station received the complaint and registered the FIR Ex.P-10 and as death had taken place within three months from the date of marriage, P.W.12 forwarded the copy of the printed FIR to his higher official for being forwarded to the Revenue Divisional Officer as also the Court. The dead body of the deceased was sent to the Government Hospital under the cover of memo for the purpose of post-mortem.

7. P.W.13, the Inspector of Police, upon receiving the printed FIR, Ex.P-10, commenced investigation. On 5.9.2014, at about 7.00 p.m., P.W.13 reached the scene of occurrence and examined the witnesses and recorded their statements. P.W.13 thereafter prepared the observation mahazar, Ex.P-4 and prepared rough sketch, Ex.P-11. From the scene of crime, P.W.13 seized a blue colour saree, M.O.1, in the presence of witnesses.

8. P.W.13, continuing with further investigation, examined further witnesses and recorded their statements. As the deceased had died within four months of marriage, u/s 174 (3) Cr.P.C., the report was forwarded to the



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Revenue Divisional Officer for conducting inquest over the dead body of the deceased.

9. The Revenue Divisional Divisional Officer conducted inquest over the dead body of the deceased and during inquest, P.W.s 1, 2 and 3 were examined and their statements were recorded resulting in the submission of inquest report, Ex.P-13, by the Revenue Divisional Officer.

10. Upon coming to know that the dead body of the deceased was kept in cold storage, P.W.13 issued requisite memo and sent the body of the deceased to the Government Hospital for post-mortem.

11. The police constable accompanying the dead body of the deceased was taken to the Government Royapettah Hospital and produced before P.W.10, the doctor, who upon examining the body, found that the deceased had died due to hanging and accordingly issued Ex.P-7, accident register.

12. The dead body of the deceased was thereafter sent for post-mortem. P.W.11, the Assistant Professor of Forensic Medicine attached to the



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Government Royapettah Hospital, upon receipt of the body, commenced post-mortem on the body of the deceased along with one Dr.Baskaran and during post-mortem, the doctor noted the following injuries :-

*“Moderately nourished female body with bluish finger and toe nails. An incomplete, asymmetrically oblique ill-defined brown ligature abrasion 22 x 4.5 x 2 cm on front and sides back of neck at level of thyroid cartilage ligature abrasion was 5 cm below chin 5 cm above suprasternal notch, on the right side of the neck. Ligature abrasion was 1.5 cm from right mastoid process. On left side of the neck ligature abrasion was 4.5 cm from left mastoid process. Posteriorly merges with hair. On dissection of neck : Base of the ligature abrasion was dry pale; underlying subcutaneous soft tissue was pale. Hyoid bone, major blood vessels, cartilages of the neck were in. No other external injuries seen anywhere on the body.*

*Heart normal in size. Cut section all chambers contained 20 ml of fluid blood. Dark red petechial haemorrhage on the anterior surface of left ventricle. Valves & great vessels normal. Coronaries patent. Both lungs normal in size. Multiple sub pleural petechial haemorrhages on the surface of both lungs. C/s congested. Larynx & Trachea empty. Stomach empty. Mucosa normal no definite smell. Liver, Spleen, Kidneys & other internal organs normal in size. C/s congested. Pelvis & spinal column intact.*



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*Uterus normal in size. C/s empty. External genitalia intact.*

*Viscera preserved for chemical analysis.*

*The deceased would appear to have died of asphyxia due to hanging."*

13. On completion of post-mortem, P.W.11 issued the post-mortem certificate, Ex.P-8 opining that the deceased would appear to have died of asphyxia due to hanging.

14. Continuing with the investigation, after examining further witnesses and based on the statement of the witnesses, the section of offence was altered to one u/s 306 IPC resulting in the preparation of Ex.P-12, alteration report. On 9.9.2014 at about 9.00 a.m., P.W.13 arrested A-1 and A-2 at their house in the presence of witnesses during which time, A-1 voluntarily came forward and gave a confession statement, Ex.P-6, in the presence of one Raja and Palani and the same was reduced into writing. Thereafter, A-1 and A-2 were sent to Court for judicial remand. The seized saree, M.O.1, was sent to Court under Form-95. Thereafter, P.W.13 examined P.W.11, the doctor, who conducted post-mortem on the body of the deceased and recorded his statement. P.W.13 also recorded



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the statement of the Revenue Divisional Officer, who conducted inquest and forwarded the inquest report to the Court. Upon completion of investigation, P.W.13 filed the final report before the Court on 14.4.2015 against the accused/appellants herein for the offences u/s 498-A, 304 (B) and 306 IPC.

15. To prove the case, the prosecution examined P.W.s 1 to 13 and marked Ex.P-1 to P-13. The accused were questioned u/s 313 Cr.P.C. on the incriminating circumstances appearing against them in the evidence of the prosecution witnesses. They denied all the incriminating circumstances. No defence witnesses were examined nor any written statement was filed.

16. The trial court, on consideration of oral and documentary evidence and other materials, convicted the accused for the offences u/s 498-A and 306 IPC and sentenced them as above. Aggrieved by the said conviction and sentence, the appellants have filed the present appeal.

17. Learned counsel appearing for the appellants submitted that the statements of P.W.s 1 to 3 at the earliest point of time, given to the Revenue



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Divisional Officer during inquest clearly show that no allegation of harassment has been made against the appellants. However, it is only before P.W.13, at the time of enquiry, the improved version, alleging harassment meted out to the deceased by the appellants is made. This clearly establish that there was no ill-will against the appellants at the earliest point of time. It is the further submission of the learned counsel that the contradiction between the statement before the RDO and P.W.13 clearly render the deposition of P.W.s 1 to 3 to be looked into in detail, before the same is acceptable.

18. It is the further submission of the learned counsel that the deposition of P.W.s 1 to 3 bristles with very many infirmities and contradictions, which strike at the root of the charges framed against the appellants. It is the further submission of the learned counsel that the deposition of P.W.s 1 to 3 are not only contradictory to each other, but their deposition are more in the nature of hearsay and there is no scintilla of evidence in the form of corroboration of their deposition. However, without properly appreciating the same, the trial court has accepted the said deposition, which is not only prejudicial, but wholly unsustainable.



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19. It is the further submission of the learned counsel that even the deposition of P.W.s 1 to 3, taken at their face value, without it being admitted, only show that harassment is alleged to have been meted out by A-2 and there is no specific allegation of harassment against A-1. Such being the case, convicting A-1 also for the offence u/s 498-A and 306 IPC is clearly erroneous. In fact, the complaint, Ex.P-1 was lodged by A-1 on 5.9.2014 at 6.00 p.m., before P.W.12. This clearly shows that the appellants have not suppressed any act, including the death of the deceased and have promptly made the complaint.

20. It is the further submission of the learned counsel that the conviction recorded u/s 498-A IPC is without any material, which establishes a demand for dowry. When the demand for dowry has not been established, no conviction could follow. The deposition of all the witnesses do not make out a case for demand for dowry and, without appreciating the same, the court below has erroneously convicted the appellants u/s 498-A IPC.



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21. Placing reliance on the ratio laid down with regard to an allegation of harassment u/s 306 IPC, learned counsel for the appellants submitted that there being no proximate positive action with regard to the allegation of harassment, as could be seen from the deposition of the witnesses, the conviction of the appellants u/s 306 IPC suffers the vice of illegality.

22. It is the further submission of the learned counsel that merely because death had happened within a period of seven years of marriage, there cannot be an automatic finding of guilt on the appellants for the offence punishable u/s 306 and 498-A IPC by employing the presumption u/s 113-A of the Evidence Act. A duty is cast upon the prosecution to establish that the act of the appellants attracting Sections 306 and 498-A IPC had resulted in the deceased deciding to commit suicide. When the materials on record do not establish such a conclusion, as the deposition of the prosecution witnesses, more particularly, P.W.s 1 to 5, contradict each other on many material particulars, it is unsafe to give a finding holding the accused guilty of the offence.



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23. It is the further submission of the learned counsel that the whole case is premised on the evidence of P.W.s 1 to 5, who are relatives of the deceased. The marriage of A-1 and the deceased, having been an arranged marriage, definitely independent witnesses would be best to speak about the manner in which the marriage was conducted and the aftermath of the marriage insofar as demand of dowry and harassment is concerned. It is the further submission of the learned counsel that though non-examination of independent witnesses alone cannot be a ground to hold that the findings recorded by the court below are unreasonable, however, the prosecution has miserably failed to establish that there was a demand for dowry and consequent harassment for dowry at the hands of the accused and in the said backdrop, the evidence of P.W.s 1 to 5, who are related to the deceased coupled with their contradictory statements at the time of examination during inquest by the RDO and, thereafter, by P.W.13, creates a grave doubt as to truthfulness of the allegations and in the absence of any corroboration and in view of the infirmities and contradictions in the evidence of P.W.s 1 to 5, the finding of guilt recorded by the court below is grossly erroneous and the same is unsustainable.



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24. In fact, it is the submission of the learned counsel that the defence had suggested a theory with regard to the demand of the amount by P.W.5 from the family of the deceased, which was given for the purpose of the marriage of the deceased and the continual demand had caused mental agony to the deceased, resulting in the deceased taking the extreme step. However, the said fact has not been considered in proper perspective by the court below and, therefore, in view of the infirmities and contradictions, learned counsel for the appellants pray for setting aside the conviction and sentence recorded by the court below.

25. Per contra, learned Addl. Public Prosecutor appearing for the respondent submitted that there are certain discrepancies and contradictions in the evidence of P.W.s 1 to 5, but the said contradictions does not in any way strike at the root of their deposition. It is the further submission of the learned Addl. Public Prosecutor that P.W.s 1 to 3, who are the mother, grand-father and brother of the deceased have no axe to grind against the accused and their deposition is cogent and corroborative. The acts of the appellants towards the deceased, more particularly, the act of A-2 against the deceased, has been clearly spoken to by P.W.s 1 to 3. It is the further submission of the learned Addl.



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Public Prosecutor that instances have been clearly spoken to by P.W.1 with regard to the manner in which the deceased was ill-treated multiple times by the appellants. It is the further submission of the learned Addl. Public Prosecutor that the evidence of P.W.4 clearly reveal that the deceased was living in the house of the appellants as a caged bird. This clearly shows the attitude of the appellants towards the deceased, which had caused mental turmoil for the deceased and driven her to commit suicide and the said act of the appellants squarely fall within the parameters of Section 306 IPC, as by their acts, they have driven the deceased to commit suicide and, therefore, it is clear case of abetment. All the aforesaid facts have been properly appreciated by the court below while recording the conviction and consequent sentence and, therefore, the same does not require any interference at the hands of this Court.

26. This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on record.



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27. In a cases of matrimonial dispute, the outlook of the family members of the deceased in the said calamitous time ebb and flow with feelings towards the deceased thereby decimating the mental prowess of the relatives, who would fare as witness for the prosecution from thinking clearly, more so, in cases, where the deceased had died not only in suspicious circumstances, but that too at the matrimonial home, which would only create a sense of viciousness towards the in-laws and relatives of the deceased, including the husband. Therefore, in such circumstances, the court is ordained with the additional task of surfing through the feelings of the witnesses before coming to a conclusion with regard to the complicity of the persons, who are accused with the crime.

28. In this backdrop, this Court would now proceed to analyse the evidence of the witnesses to see, whether the offences u/s 498-A and 306 IPC have been made out.

29. Insofar as the offence u/s 498-A IPC is concerned, it relates to the husband or relative of a husband subject a woman to cruelty, which would take



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within its fold wilful conduct so as to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health of the woman or harassing the woman by coercing her or any person related to her to meet any unlawful demand for any property or valuable security .

30. In the light of the cruelty as is envisaged u/s 498-A IPC, a perusal of the deposition of P.W.s 1 to 3 reveal that no demand either for dowry or valuable property has been alleged against the appellants. There are some depositions, where some routine items which are given during a marriage are passed on, but there is no specific allegation relating to any valuables sought for or dowry in the form of cash is sought for. In fact, an amount of Rs.1 Lakh, which is alleged to have changed hands, even according to the deposition of P.W.s 1 to 3, has been given for the purpose of conduct of marriage. In fact, the said sum seems to be a shared marriage expenses between both parties, as the deposition of P.W.1 reveal that the marriage was conducted by the appellants. Therefore, in the absence of any specific material, which unerringly points that there was a demand either in the form of cash or valuable, being asked for by the appellants, the offence u/s 498-A cannot be said to have been made out.



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31. However, the trial court has held that the claim of harassment stood established due to the fact that a remark had been made by A-2 castigating the deceased for not wearing a proper saree. Further, the court below had based harassment on the deposition of the witnesses that the deceased was made to sit on the floor while watching TV and not allowed to sleep during the day time. Though the same has been spoken to by P.W.s 1 to 3 in unison, but the said remark or acts cannot be brought within the ambit of harassment as made out in Explanation (a) of Section 498-A IPC relating to cruelty. If all remarks, as such made by the in-laws, are to be held as cruelty, then dialogue between the in-laws and the girl, who had been given in marriage could never take place. Further, in regard to the acts relating to making the deceased sit on the floor to watch TV and not allowing the deceased to sleep during day time, no independent witnesses have been examined, who are in the vicinity of where the deceased and the accused were living, who have spoken about the same. P.W.s 1 to 3 have not spoken about the said acts of the accused during inquest before the RDO and the same does not reflect in the statements of P.W.s 1 to 3 which were recorded during inquest. The said statements are made only to P.W.13, which



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are later in point of time. Therefore, there is definitely divergence in the statement of the witnesses, one during inquest and the other during enquiry by P.W.13.

32. Further, all off-hand remarks made by the in-laws would not partake the character of harassment and only to overcome the same, Explanation is added to Section 498-A spelling out as to what are the acts that would fall within the ambit of cruelty. If such a narrow interpretation is given, with regard to the term cruelty, which is not the intent of the Parliament, it would be grave injustice committed by the justice delivery system to the family life of married couples. Of course, the mental agony faced by the parents and relatives of the deceased upon coming to know the death of the deceased, would result in making some allegations against the in-laws, but it is the duty of the court to separate the wheat from the chaff, while appreciating a case, so that there is no miscarriage of justice. In the case on hand, the court below has also fallen prey to the allegations made against the accused without appreciating the fact that what has been spoken to by the deceased, as alleged by P.W.s 1 to 3 are happenings that take place in every day life of each and every individual and



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such acts are not acts of cruelty, as has been defined in Explanation (a) of Section 498-A IPC. To attract Explanation (b) of Section 498-A IPC, there is no iota of material, as there is no demand of any property or valuable security and, therefore, the finding recorded by the Court below with regard to the prosecution establishing its case u/s 498-A IPC is wholly erroneous and accordingly the same deserves to be set aside.

33. Now coming to the offence u/s 306 IPC, which has resulted in the conviction of the accused, Section 306 IPC relates to abetment to suicide. Abetment to suicide should necessarily have the ingredient of instigation of a person so as to make the deceased commit suicide. Harassment, if meted out to the person, would definitely be a factor in weighing abetment, which would push a person to commit suicide. However, in the absence of any harassment being established, the prosecution is bound to establish through other materials that there the deceased was pushed to commit suicide by the acts of the accused. However, there is no material even to infer such to be the case, as apart from the above acts of the accused, which are alleged by P.W.s 1 to 3, which happens in every household in this country, which do not fall within the contours of cruelty,



there is no material to show that the acts of the accused pushed the deceased to commit suicide.

34. Before P.W.13, P.W.s 1 to 3 have spoken about certain instances, where the deceased is alleged to have made to veiled remarks about certain happenings at her in-laws place. However, those acts in the form of remarks by A-2 with regard to the saree worn by the deceased, calling upon the deceased to inform her parents to provide certain things when the deceased goes there for the Aadi festival are nothing but acts of affection, which are shown by the parents to their daughter, when their daughter visits their place for a festival. At times, the in-laws ask their daughter-in-law to ask for certain things, which could be brought from the place. Asking for something is different from a demand being made. All asking are not demand

35. In fact, it has been held by the Apex court in **Satvir Singh &Ors. – Vs – State of Punjab &Anr. (2001 (8) SCC 633)**, the Apex Court has held that *“customary payments in connection with birth of a child or other ceremonies are prevalent in different societies and such payments are not enveloped within the*



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*ambit of dowry*". Therefore, necessarily the prosecution have to prove that what was asked by the deceased was indeed a demand of dowry. However, such is not the case. If such demand was made, that too persistently, which is established by the prosecution, then that would partake the character of abetment, which would drive the daughter-in-law to commit the extreme act of suicide. However, in the case on hand, demand has not been established and acts of the accused also have not been shown to be of such character as it would be an act of instigating the deceased to commit suicide.

36. One other piece of evidence, which is crucial in determining whether cruelty and harassment, as alleged, was meted out to the deceased, is the evidence of P.W.3, the brother of the deceased. P.W.3, in his deposition has admitted that there was frequent conversation between the deceased and P.W.3 every alternate day. In fact, it is the specific deposition of P.W.3 that he had called the two days before the deceased committed suicide and in the said deposition, P.W.3 does not whisper that there was even a depression or any iota of change in the demeanour of the deceased. If really harassment and cruelty, as is envisaged u/s 498-A and instigation as provided for u/s 306 was meted out to



the deceased by the accused, definitely, the deceased would have spoken about the same to P.W.3. However, there is no shred of evidence to the effect that the deceased was feeling the effects of cruelty and harassment, alleged to have been meted out by the accused. In the absence of any such evidence, the day-to-day instances happening in a household cannot be claimed to be harassment in driving the deceased to the extreme step of committing suicide.

37. If an offence is established u/s 498-A, inference could be drawn in certain places as to the course of conduct of the accused which would amount to cruelty leaving no other option for the person, but to commit suicide. But merely because cruelty is made out u/s 498-A, it cannot be taken to infer that there is evidence of abetment to suicide. In the present case, as stated above, there is no shred of evidence to hold that the deceased was subjected to cruelty as provided for u/s 498-A. Therefore, the aid of cruelty, as an additive factor to instigation u/s 306 IPC cannot be taken. The aforesaid stand of this Court is fortified by the fact that in Ex.P8, the post-mortem certificate, there is a categorical recording that there are no external injuries on the body of the deceased.



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38. The court below, advertent to Section 107 IPC, where '*abetment*' is defined, held that clause (i) of Section 107 IPC stands attracted. However, even hereto, there should be instigation to commit the offence. Therefore, instigation at the instance of the accused should be established by the prosecution so as to bring home the charge u/s 306 IPC.

39. In the present case, even according to the prosecution, the deceased is a Post-Graduate degree holder and was even working prior to her marriage with the A-1. Therefore, the deceased cannot be said to be a woman, who was unintelligible to know an act of instigation and harassment. The grievances voiced out by the deceased to P.W.s 1 to 3 are the day to day happening in a household, which normally takes place between the mother-in-law and the daughter-in-law. The magnitude of the happening ought to be the consideration to weigh whether the said act could be said to be an instigation for the deceased to commit suicide. As stated above, the deceased being a person above the average intelligence would be very well aware, if the acts had been instigation. However, the grievances expressed by the deceased do not fall within the boundaries of instigation. In fact, there are contradictions in the deposition of



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P.W.s 1 to 3 even with regard to the grievances expressed by the deceased.

There is no pointed allegation made by the deceased to P.W.s 1 to 3 to show that the accused had instigated her and are driving her to commit suicide.

40. In the aforesaid scenario, a careful perusal of the deposition of P.W.s 1 to 5 reveal that though they have spoken in unison on certain aspects with regard to the utterances made by A-2 to the deceased, which, as held by this Court could not be construed as instigation, however, their deposition also gallores with very many contradictions with regard to certain material aspects related to demand made by the accused. In fact, there are contradictions with regard to who communicated the death of the deceased to whom. While P.W.2 says that it was communicated to him by the uncle of A-1, however, P.W.4 says that it was communicated to him. While P.W.2 says that he was informed about the death of the deceased, P.W.s 4 and 5 say that they came to know about the death only on reaching Chennai. Similarly, on the theory of advancement of loan by P.W.5, for the marriage of the deceased, which is claimed to be the reason for the suicide of the deceased by the defence, as the persistent claim for return of the amount by P.W.5 had driven the deceased to commit suicide, however,



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P.W.3 claims that he gave the amount, while P.W.2 claims that he gave the amount. Similarly, as stated above, there are glaring contradictions between the statement given by P.W.s 1 to 3 at the time of inquest and also the statements recorded by P.W.13, the investigating officer.

41. On a conceptual analysis of all the materials placed before this Court, this court is of the considered view that the prosecution has not established its case with regard to either of the offences u/s 498-A or 306 IPC, but the court below got carried away by trivial instances, which were spoken to by P.W.s 1 to 3, which have been construed to be harassment and demand and more so instigation by the accused to make the deceased commit suicide and on an erroneous interpretation of the provisions of Section 498-A and 306 IPC, the court below had found the accused guilty, which is not established even through a miniscule of evidence to show that the accused had committed the offence. Therefore, the conviction and the consequential sentence recorded by the court below cannot be sustained and the same requires interference at the hands of this Court.



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42. For the reasons aforesaid, this criminal appeal is allowed by setting aside the conviction and sentence imposed on the appellants by the learned Sessions Judge, Mahila Court, Chennai in S.C. No.247/2015, vide order dated 01.02.2021 and they are acquitted of all the charges for which they were convicted and sentenced. It is reported that the appellants are on bail. Bail bonds, if any, executed by the appellants shall stand cancelled and the appellants are directed to be set at liberty forthwith unless their detention is required in connection with any other case. Fine amount, if any, paid by the appellants shall stand refunded.

**12.06.2024**

Index : Yes / No

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To

1. The Sessions Judge  
Mahila Court, Chennai
2. The Inspector of Police  
Teynampet Police Station  
Chennai.
3. The Public Prosecutor  
High Court, Madras.



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**M.DHANDAPANI, J.**

**GLN**

**PRE-DELIVERY JUDGMENT IN  
CRL. A. NO. 254 OF 2021**

**Pronounced on**



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**12.06.2024**