



Crl.A.(MD)No.151 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Judgment	Date of Pronouncing the Judgment
05.03.2024	26.03.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

Crl.A.(MD)No.151 of 2020

1.Dharmaraj
2.Ramaraj

... Appellants/A1 and A2

vs.

State, Rep. by
The Inspector of Police,
Pasupathipalayam Circle,
Velliyanai Police Station,
Karur District.

(Crime No.440 / 2017)

... Respondent / Complainant

(Cause title amended as per order of this Court,
dated 15.09.2020 in Crl.M.P.(MD)No.4499 of 2020)

PRAYER : Criminal Appeal filed under Section 374 (2) of Cr.P.C., to call for the records and set aside the judgment passed by the Additional Sessions Court (Fast Track Mahila Court), Karur, in S.C.No.98 of 2018, dated 03.10.2018 and allow this appeal and acquit the appellants / A1 and A2.

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For Appellants : Mr.M.Ajmalkhan
Senior Counsel
for Mr.R.Ganeshprabu

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

JUDGMENT

**DR.G.JAYACHANDRAN, J.
and
C.KUMARAPPAN, J.**

Dharma Raj (A1), Ramaraj (A2) and Arunkumar (A3) were tried for offences punishable under Sections 120-B, 302, and 201 r/w 302 I.P.C. before the learned Additional Sessions Judge, Fast Track Mahila Court, Karur.

2. The trial Court, vide judgment dated 03.10.2019 held them guilty of charges framed against them and convicted them to undergo the sentence as below:-



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A1 to A3	120-B I.P.C.	Life imprisonment with fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.
	302 I.P.C.	Life imprisonment with fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.
	201 I.P.C.	Three years rigorous imprisonment with fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.

3. Being aggrieved, Dharmaraj (A1) and his brother Ramaraj (A2) had preferred Crl.A.(MD)No.151 of 2020, whereas Arunkumar preferred Crl.A.(MD)No.80 of 2020. Pending appeal, Arunkumar died, hence, his appeal was dismissed as abated.

4. The case of the prosecution as spoken through its witnesses:-

(i) Dharmaraj and Karthi were pursuing degree course in the Government Arts College at Palani. They used to travel together to the College in



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the bus. In the same bus, another College student by name, Soundarya used to travel. With Soundarya both Dharmaraj and Karthi had a good friendship. In due course, when Soundarya stopped talking with Karthi, he suspected it was because of Dharmaraj. A week before the occurrence, Karthi picked quarrel with Dharmaraj and assaulted Dharmaraj.

(ii) Felt insulted, Dharmaraj declared that he will inform this to his brother and with his help, he will do away Karthi within a week. Then, he informed this matter to his brother Ramaraj and sought his help. Dharmaraj along with his brother Ramaraj and his friend Arunkumar conspired to kill Karthi. Pursuance to the conspiracy, they all met on 19.11.2017 at about 07.30 p.m., near the Allaligounder graveyard. Then, A3 called Karthi to that place to join with him for a drink. When Karthi came to the Allaligounder graveyard at about 08.15 p.m. in his bike bearing Registration No.TN-57-B-5278, the second accused Ramaraj questioned Karthi why he quarrelled with his brother Dharmaraj and hit him on the forehead with a beer bottle. The third accused Arunkumar hit Karthi with the beer bottle on the face and right chest. When Karthi tried to escape from that place, the second and third accused caught hold the hands of Karthi. The first accused Dharmaraj strangled the neck of Karthi using a handkerchief, like a



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rope. Thereafter, to screen the body of the Karthi, they carried the body in their two wheeler to the near by private Railway track leading to Chettinad Cement Factory, Puliur, near Ayyampalayam Road and laid the body across the Railway track.

(iii) On next day, at about 06.00 a.m., the train driver P.W.2 informed the Village Administrative Officer (P.W.1) about the dead body lying on the Railway track. The V.A.O. on receipt of the information, went to the spot and enquired with the local people about the identity of the body. Since they were not able to provide any clue to her, she reported to the Police about the unidentified dead body of 25 years old boy with injuries. Based on her complaint (Ex.P1), the Police registered the F.I.R. The Inspector of Police came to the spot and prepared the Observation Mahazar (Ex.P2). From the scene of occurrence, he collected soil stained with blood and without blood and stone gravel with blood and without blood. Mahazar for recovery of these material objects were prepared in the presence of the witnesses. The material objects found near the body were identified by P.W.1.

(iv) P.W.2 Kannan Rail driver of Chettinad Cement Factory, who used to drive load to the factory quarry, had deposed on 20.11.2017 at about



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06.00 a.m. while his train wagon was crossing Kathazhapatti-Manavadi, on noticing a body lying on the track about 70 feet ahead, stopped the Rail and got down to see who he is and what happened to him. He then informed to the V.A.O. about the same.

(v) P.W.3 is one of the public, who saw the dead body lying across the track on 21.11.2017, at about 06.00 to 06.30 a.m.

(vi) P.W.4 is the girl Soundarya, who as per the prosecution, was the cause for the enmity between the deceased Karthi and first accused Dharmaraj. She in her testimony had admitted about her acquaintance with Dharmaraj, but not with Karthi. She had deposed that she was moving with Dharmaraj only as a friend and also used to chat with him while travelling in the bus. She further stated that, she came to know about the incident only on seeing news in the T.V.channel.

(vii) P.W.5 Rengasamy belongs to the same Village of the deceased and a Tailor by profession. As per his evidence, on 19.11.2017 at about 06.00 p.m., he saw the accused 1 to 3 returning home after playing Kabadi. Thereafter, Karthi came to the Village. On next day *i.e.*, on 20.11.2017 when he was proceeding to the open space for relieving himself, Arunkumar (A3) came



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nervous. When he enquired Arunkumar as to why he is so nervous, Arunkumar confessed that he, Thangaraj and Bhagyaraj murdered Karthi with beer bottle.

(viii) P.W.6 Ilaiyaraja deposed that he knew Karthi and the accused. He accompanied Karthi to a funeral a year before. In the funeral, Karthi and Dharmaraj quarrelled over a girl. Karthi said that the accused Dharmaraj betrayed him. He heard the vow of Dharmaraj saying that he will kill Karthi with the help of his brother. Later, he came to know that Karthi was murdered by Dharmaraj and his brother Ramaraj.

(ix) P.W.7 Chitra is the mother of Karthi. She had deposed that her son confided with her about his love with Soundarya and was very depressed when Soundarya stopped talking with him and she consoled him. Then, her son Karthi went missing on 19.11.2017 after he went to play Kabadi. She has identified the body of Karthi, which was found lying across the track.

(x) P.W.8 is brother of P.W.7. According to P.W.8, he along with P.W.7 went to the scene of crime after he came to know that Karthi body lying on the Railway track. The evidence of P.W.8 been corroborated with the evidence of P.W.7 regarding Karthi being depressed due to the breakup of his love with Soundarya. The information, which Karthi told his mother P.W.7, been conveyed



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to him by P.W.7.

(xi) P.W.9 is the witness, who had deposed that he know about the affair of Karthi with a girl and the enmity between the accused Dharmaraj and the deceased Karthi. He know about this through P.W.7, the mother of the deceased.

(xii) P.W.10 is the father of the deceased Karthi. He was not in the Village at the relevant point of time. His testimony regarding the affair of Karthi with Soundarya and other facts are known to him only through P.W.7 and other witnesses.

(xiii) P.W.11 had deposed that on 19.11.2017 at about 08.30 p.m., he was returning from Karur through Jegadabi. He saw Karthi along with his friends near the Allaligounder graveyard. He stopped his two wheeler near them and enquired what they are doing. Karthi said, "nothing". This witness had deposed that he was able to see the persons who were along with Karthi. He also saw 2 two wheelers near that place. The next day, he heard that Karthi was murdered and thrown across the Railway track.

(xiv) P.W.12 Radhika is the sister of the deceased Karthi. She had deposed that her brother was very depressed for a week before the incident. He



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told her mother that he was in love with a girl, but due to Dharmaraj that girl stopped talking with him. Since that girl is now in love with Dharmaraj, there was a fight between his brother and Dharmaraj. She and her uncle Periyasami advised his brother. Her brother was murdered and his body was found on the Railway track.

(xv) P.W.13 had deposed that on 19.11.2017 at about 08.00 p.m., while he was returning from Gujiliamparai in his two wheeler, at Allaligounder graveyard, he saw the accused persons sitting on the parapet wall of the river bridge. He did not see the deceased Karthi along with them. He saw Dharmaraj was calling somebody in his cell phone. P.W.13 stopped his two wheeler and enquired Dharmaraj whom he is calling. He also enquired why he is enquiring about the whereabouts of the person to whom he is speaking. The next day, P.W.13 found Karthi dead near Railway track.

(xvi) P.W.14 had deposed that on 01.11.2017 at about 08.15 p.m., he along with his uncle Ramasamy proceeding towards their Village after their visit to Karur. Near the Allaligounder graveyard, he saw Karthi and the accused persons sitting on the parapet wall of the river bridge. When he enquired them, why they are sitting there, they told him that they were sitting casually. Then,



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P.W.14 left the place. The next day, he came to know that Karthi found dead near the Railway track.

(xvii) P.W.15 had deposed that on 20.11.2017 at about 05.30 a.m., while he was in the Tea shop at Jegadabi, he saw A1 and A2 in a two wheeler and A3 in another two wheeler, crossing the tea shop very fast. When he enquired the person nearby, he told that they are fled after murdering Karthi and placing his body on the Railway track. He at about 06.00 a.m., went to the Police Station and informed what he had seen and heard.

(xviii) P.W.16 had deposed that he while taking tea in the shop at Jegadabi on 20.11.2017 at 09.30 a.m., he saw the accused persons crossing the shop in the two wheelers very fast. When he enquired the person nearby, he told that they are fled after murdering Karthi and placing his body on the Railway track. Then, later he came to know about the murder of Karthi.

(xix) P.W.17 is the witness for the confession and recovery. The prosecution has marked the two wheelers, shirts with blood stains, broken pieces of beer bottle and handkerchief. According to the Mahazars (Ex.P5 and Ex.P7) these objects were recovered near Allaligounder graveyard bridge on 21.11.2017 at about 18.15 hours and 17.05 hours.

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(xx) P.W.18 is the postmortem doctor, who had conducted the autopsy and given the postmortem certificate (Ex.P9). The postmortem report reveals that the deceased Karthi had sustained the following antemortem injuries:-

"1. A laceration 1 x 0.5 x 0.5 cm seen over lateral aspect of right eyelid.

2. Sub-centric laceration seen over right temple.

3. Multiple contusions seen over right side of forehead, right cheek and right temporal region.

4. Swelling over left side of cheek.

5. A ligature mark 10 cm length 0.5 cm width seen crossing transversely over front of neck, below the hyoid cartilage.

6. A ligature mark 19 cm x 0.5 cm seen extending obliquely from front of right ear, crossing right side of neck upto below right occipital region of scalp.

7. A ligature mark 21 cm x 0.5 cm seen extending obliquely from angle of right mandible crossing right side of neck upto right clavicular region.

8. Multiple small contusions seen over both entire upper limbs, right lateral chest wall, right side of back, left loin and left upper lip.

9. Abrasion over left 1st and 2nd toes, left 1st toe nail broken."



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P.W.18 had opined that Karthi would have died due to asphyxia, possibility due to strangulation.

(xxi) P.W.19 Dr.Balakrishnan conducted biopsy of the skin grafted from the deceased body and given the biopsy report (Ex.P10), stating that the section study shows skin with skeletal muscle bundles. Congestion present in dermis with haemorrhage in subcutaneous tissue.

(xxii) P.W.20 Pandiammal, the in-charge Principal of the Government Arts College, Karur, had certified and deposed that the deceased was pursuing his B.B.A. degree course in the College. His last date of attendance was 24.10.2017. The first accused Dharmaraj was third year student of B.Sc. (Geology) and his last date of attendance was 20.10.2017.

(xxiii) P.W.22 the Court staff, who received the material objects under Form-91 and P.W.23 the Police photographer, who captured the Photos of the corpse, had deposed their respective roles in the investigation. The photos marked as M.O.12 series. The Compact Disc containing the photos marked as M.O.13. The affidavit under Section 65B of the Indian Evidence Act for the electronic evidence is marked as Ex.P14.



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(xxiv) According to the prosecution, A3 was using the SIM card purchased in the name of Muneeswaran and with that SIM card, he called the deceased to come to the bridge near the graveyard. Muneeswaran is examined as P.W.21 to support this version.

(xxv) Sasikumar Grade - II Police Constable in the Cyber Crime Branch examined as P.W.24 had deposed that on the instruction of the Investigating Officer, he collected the call details of 5 cell phone numbers used by the deceased and the accused persons. The details he received from the respective service providers through e-mail was forwarded to the Investigating Officer. On analysing the call details, there was one call from phone number 90802-14716 to 89405-30085 on 19.11.2017 at 21.11 hours. His affidavit under Section 65-B of the Evidence Act, is marked as Ex.P15. In the letter of the Investigating Officer, instructing him to collect the call details, Investigating Officer has mentioned the cell number 90802-14716 belongs to Arunkumar (A3).

(xxvi) P.W.28 is the Investigating Officer, who on completion of the investigation, filed the final report. He had deposed about collection of evidence during his investigation and alteration of report.



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5. Appellants submission:-

(i) The learned Senior Counsel appearing for the appellants submitted that as per the evidence of P.W.1 and P.W.2, the dead body of Karthi was first found by P.W.2, who is the driver of the Rail, which belongs to private cement factory. He noticed the body at 06.00 a.m. on 20.11.2017 and had informed the public. They in turn informed the same to V.A.O. / P.W.1, who had visited the spot and thereafter, given the complaint [Ex.P1]. In the complaint of P.W.1, it is stated that a male body of about 25 years old wearing a shirt and underwear found with injuries, bleeding near eyebrow, strangulation mark around the neck and a bleeding injury on the left leg great finger. From her enquiry, she was not able to know the identity of the male body. She suspects somebody must have killed him elsewhere and put the body on the Railway track. This complaint been registered at 08.30 a.m. in Crime No.440 of 2017.

(ii) The trial Court to believe the last seen together theory projected by the prosecution had relied on the evidence of P.W.11, who had deposed that on 19.11.2017 at about 08.30 p.m. he saw the deceased and the accused persons consuming liquor near the Allaligounder graveyard and the evidence of P.W.14,



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who had deposed that he saw the accused and deceased in the same place at about 08.15 p.m., when he was returning to his Village from Karur along with his uncle Ramasamy. They are not witnesses worth reliable. Their explanation for the presence at that place at that time is highly doubtful.

(iii) P.W.12 the wife of P.W.13, who is none other than the sister of the deceased Karthi, had in the cross examination, had admitted that on 19.11.2017 itself, they started searching Karthi. She, her husband (P.W.14), her mother (P.W.7), her paternal uncle Kannappan (P.W.9) and uncle Periyasamy went to the Allaligounder graveyard at 09.00 p.m. and also went to the Railway track to find her brother. Her evidence totally demolish the case of the prosecution and the last seen together theory. Even otherwise, this theory will not apply to the case in hand, since there is no link evidence to the death of Karthi, whose body was found on the Railway track nearly 3 Kms. away from the place where P.W.11 and P.W.14 saw the deceased and the accused together.

(iv) The other incriminating evidence against these appellants are, the evidence of the witnesses, who saw them on the next day morning at about 05.30 a.m. and thereafter. One of the witnesses says, he saw A3 nervous and when he enquired him, he said he along with other two killed deceased Karthi. Two



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other witnesses say, they saw A1 and A2 in one bike and A3 in another bike fleeing very fast. The onlookers told that they have murdered Karthi and after placing the body on the track, they are fleeing. According to the prosecution, the two wheelers they mentioned were recovered from a School premises in the same Village. The trial Court failed to note the improbability in the testimony of these witnesses and the inherent contradictions. When P.W.5 had deposed on the early hours of 20.11.2017, he saw A3 alone coming nervous near the graveyard at about 06.00 to 06.30 a.m. P.W.15 had deposed he saw the accused fleeing in the two wheelers near Jegadabi at about 05.30 a.m. and at that time itself, he know from others, they have committed the crime and he went to the Police Station at 06.00 a.m. and informed about what he saw and heard.

(v) If these witnesses are to be relied, then, the very origin and genesis of the prosecution version gets falsified. Hence, relying on the judgment of the Hon'ble Supreme Court in **Pankaj vs. State of Rajasthan** reported in **AIR 2016 SC 4150** and relying on the judgment of the Hon'ble Supreme Court rendered in **Navaneethakrishnan vs. State** reported in **2018 (16) SCC 161**, the learned Senior Counsel for the appellants submitted that, when the genesis of the prosecution case is doubtful and the prosecution has failed to clear the test for



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drawing legal presumption from last seen together, the trial Court's judgment needs to be set aside.

6. Submission of the learned Additional Public Prosecutor for the Respondent/ State:

(i) The submission of the learned Additional Public Prosecutor representing the State is that, the trial Court had properly appreciated the evidence and held that the circumstantial link been well established through the witnesses. The recovery of material objects based on the confession given by the accused persons, the conspiracy hatched in secrecy and disclosed through the information furnished by the accused persons when they confessed about the crime and the call details prove the fact that the accused persons called the deceased over phone used by A3 on 19.11.2017 thrice between 21.11 hours and 21.25 hours and 21.45 hours. The trial Court had reconciled the evidence of P.W. 13, who had deposed that while he was crossing the bridge near the graveyard, at about 08.00 p.m., he saw A1 calling someone over the phone. Though this version does not corroborate with the evidence of P.W.28, based on the call details, this data provided is more reliable, which cannot be tampered or manipulated.

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(ii) The learned Additional Public Prosecutor further submitted that the possibility of calling the deceased in the cell phone on the instruction of the other two accused is probable. The prosecution case to be accepted, since pursuance to the conspiracy as disclosed by the accused, the deceased was called to the bridge near the graveyard under the pretext of offering drink. Since conspiracy never done in public or with witness, therefore, the confession of the accused persons, which disclose the fact to be relied upon. It is also submitted that the nature of injuries found on the person clearly rule out any suspicion of the nature of death such as, whether it is suicide or accident. The strangulation mark on the neck, the handkerchief recovered from the spot, and the other injuries correlating with the weapon that is the beer bottle, recovery of broken pieces of beer bottle from the scene of crime and that along with the deceased seen together with the deceased alive on the previous night by the prosecution witnesses P.W. 11 and P.W.14, coupled with the fact that the evidence of P.W.15 and P.W.16, who had seen the accused persons alone in the next day morning all to be read together. In the light of the recovery of the 2 two wheelers based on the information given by the accused in their confession statement, the prosecution case strengthened. Hence, prayed to dismiss the appeal.

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7. Heard the learned counsel on either side and perused the materials on record.

8. This is a case of circumstantial evidence. For the Court to satisfy itself whether the links in the chain of circumstances stands unbroken, and evidence produced has proved that the accused and the accused alone are the perpetrator of the crime, and that such conclusion 'must be true' and not 'might be true' or 'may be true'. In **Devi Lal vs. State of Rajasthan** reported in **2019 (19) SCC 447**, the Hon'ble Supreme Court while considering pronunciation of law pertaining to circumstantial evidence, its relevance and decisiveness as a proof of charge of a criminal offence stated as under, after tracing the decisions of Court in **Sharad Birdhichand Sarda vs. State of Maharashtra (1984 (4) SCC 116 : 1984 SCC (Cri.) 487)** as below:-

"16. The classic enunciation of law pertaining to circumstantial evidence, its relevance and decisiveness, as a proof of charge of a criminal offence, is amongst others traceable to the decision of the Court in Sharad Birdhichand Sarda v. State of Maharashtra [Sharad Birdhichand Sarda v. State of Maharashtra, (1984) 4 SCC 116 : 1984



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SCC (Cri) 487] . The relevant excerpts from para 153 of the decision is assuredly apposite: (SCC p. 185)

"153. A close analysis of this decision would show that the following conditions must be fulfilled before a case against an accused can be said to be fully established:

(1) the circumstances from which the conclusion of guilt is to be drawn should be fully established.

It may be noted here that this Court indicated that the circumstances concerned "must or should" and not "may be" established. There is not only a grammatical but a legal distinction between "may be proved" and "must be or should be proved" as was held by this Court in Shivaji Sahabrao Bobade v. State of Maharashtra [Shivaji Sahabrao Bobade v. State of Maharashtra, (1973) 2 SCC 793 : 1973 SCC (Cri) 1033] where the observations were made: (SCC p. 807, para 19)

'Certainly, it is a primary principle that the accused must be and not merely may be guilty before a court can convict and the mental distance between "may be" and "must be" is long and divides vague conjectures from sure conclusions.'

(2) the facts so established should be consistent only with the



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hypothesis of the guilt of the accused, that is to say, they should not be explainable on any other hypothesis except that the accused is guilty,

(3) the circumstances should be of a conclusive nature and tendency,

(4) they should exclude every possible hypothesis except the one to be proved, and

(5) there must be a chain of evidence so complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused and must show that in all human probability the act must have been done by the accused.” *(emphasis in original)”*

9. Further in the judgment (cited supra), the Hon'ble Supreme Court has also relied upon **Sujit Biswas vs. State of Assam [2013 (12) SCC 406]** and **Raja vs. State of Haryana [2015 (11) SCC 43]** and observed that while scrutinising the circumstantial evidence, a Court has to evaluate it to ensure the chain of events is established clearly and completely to rule out any reasonable likelihood of innocence of the accused. The underlying principle is whether the chain is complete or not, indeed it would depend on the facts of each case emanating from



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the evidence and there cannot be a straightjacket formula, which can be laid down for the purpose. But, the circumstances used when considered collectively, it must lead only to the conclusion that there cannot be a person other than the accused, who alone is the perpetrator of the crime alleged, and the circumstances must establish the conclusive nature consist only with the hypothesis of the guilt of the accused.

10. The above parameters laid down by the Hon'ble Supreme Court when applied to the instant case, we find that origin and genesis of the prosecution case itself doubtful. The case of the prosecution as spoken through its witnesses, who are mostly relatives of the deceased, is the love affair of Karthi with one Soundarya, and her refusal to talk with him, and becoming more closer to A1 Dharmaraj. The fight between A1 and deceased a month before over this issue and the vow taken by A1 to do away the deceased with the help of his brother (A2). The girl with whom the deceased developed friendship been examined as P.W.4. She had denied any such affair either with the deceased or with A1. The other reason for motive is the earlier fight between A1 and the deceased. For this incident also, prosecution could not place any convincing evidence. In case



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absence of direct evidence, the motive becomes very significant to fix the accused. Is really there was threat to the deceased life by the accused, when P.W. 11 and P.W.13 saw the accused and deceased together near the graveyard on the previous night, they would have not left the place just making some enquiry with them. They are not strangers, but relatives of the deceased. This conduct gives raise to suspicion whether their evidence is to be relied for last seen together theory.

11. Further, when the sister of the deceased admit that she and other witnesses went in search of brother Karthi on 19.11.2017 at 09.00 p.m. itself and they went to the graveyard as well as the Railway track, but they could not find Karthi. This is not being spoken by the other witnesses. The theory of last seen together gets effaced due to this omission and lack of corroboration.

12. In **Jabir vs. State of Uttarakhand [2023 SCC OnLine SC 32]**, the Hon'ble Supreme Court referring it's earlier judgment in **Sharad Birdhichand Sarda vs. State of Maharashtra** [cited supra] had reiterated that the conditions to be satisfied before a case against an accused can be said to be fully established.



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13. In view of the above proposition of law, when the evidence in this case subjected to analysis, from the overall facts and circumstances, we find the chain of circumstances visibly incomplete even if the testimony of the witnesses taken as true. The inherent contradiction about the presence of the accused persons along with the deceased renders the testimony of these witnesses wholly unreliable.

14. To add further doubt in the prosecution case, the reliance of the call details alleged to have furnished by the service providers not accompanied with the Certificate from the service providers to satisfy the requirement of Section 65-B of the Evidence Act. Further, the data relied from the call detail does not tally with the ocular evidence of P.W.13, despite that the trial Court has held that the charge of conspiracy proved, which in the view of this Court, is not in tune with the evidence.

15. When the link in the chain of circumstances is found missing, any conviction based on the uncorroborated and contradictory circumstantial evidence cannot sustain.



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16. As a result, this Criminal Appeal is allowed. The judgment of the trial Court, dated 03.10.2018, in S.C.No.98 of 2018, is set aside and the appellants are acquitted from all the charges. Bail bonds stand cancelled. Fine amount already paid, if any, shall be refunded to the appellants.

Index : Yes
NCC : Yes
smn2

[G.J., J.] & [C.K., J.]
26.03.2024

To

- 1.The Additional Sessions Judge
(Fast Track Mahila Court),
Karur.
- 2.The Inspector of Police,
Pasupathipalayam Circle,
Velliyanai Police Station,
Karur District.
- 3.The Section Officer,
Criminal Records,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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and
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