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Crl.A.No.1360 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

ADVANCE ORDER

in

**Crl.A.No.1360 of 2025 &
Crl.MP.No.16324 of 2025**

1.Vijayan @ Vijayakumar
2.Lakshmi

... Appellants

Vs.

State By
Inspector of Police,
T-14, Mangadu Police Station,
Mangadu,
Chennai 600 122

... Respondent

PRAYER: Criminal Appeal filed under Section 415 of BNSS, 2023, praying to call for the records of the trial court and set aside the conviction and sentence imposed by the Principal District and Sessions Judge, (Mahila Court), Kancheepuram in SC.No.31 of 2016 through judgment dated 16.07.2025 and acquit the appellants /accused A1 and A2 from all the charges.

For Appellants : Mr.B.Damodaran



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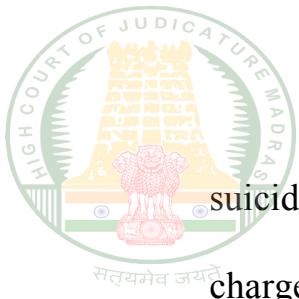
Crl.A.No.1360 of 2025



For Respondent : Mr.S.Raja Kumar,
Additional Public Prosecutor

ADVANCE ORDER

The prosecution failed to prove any of the charges. The trial court convicted the appellants only on the strength of the evidence of PW1, PW2, PW7 and PW8. On perusal of their evidences, it is revealed that no one has supported the case of the prosecution. The deceased committed suicide along with her one-year-old son by jumping into a well. There is absolutely no evidence to show that the appellants abetted her to commit suicide soon before her death. The only allegation against the appellants was that they demanded more dowry. On perusal of the records, it is revealed that no one had spoken that the appellants demanded more dowry from the deceased or her family members. Further, the trial court found the reason for committing suicide as that the jewels were pledged by the appellants which were presented during the marriage of the deceased. However, there was absolutely no evidence to show that the appellants pledged the jewels. In fact, PW8 deposed that the jewels were pledged by the deceased's father. That apart, on perusal of the suicidal note, it did not reveal any thing against the appellants. Therefore, the



suicidal note also did not support the case of the prosecution to prove the charges under Sections 498-A and 306 of IPC. Therefore, the benefit of doubt goes in favour of the appellants.

2. Accordingly, this Criminal Appeal is allowed and the judgment passed by the Principal District and Sessions Judge, (Mahila Court), Kancheepuram in SC.No.31 of 2016 dated 16.07.2025, is set aside. The appellants are acquitted of all charges under Sections 498-A and 306 of IPC.

3. It is reported by the learned counsel appearing on either side that the appellants are now in incarceration. The appellants/accused are directed to be set at liberty forthwith unless their custody is otherwise required in connection with any other case. Fine amount, if any paid, shall be refunded to the appellants forthwith. Bail bond, if any executed, shall stand cancelled.

4. The detailed order will follow.

28.08.2025

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G.K.ILANTHIRAIYAN, J.

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To

- 1.The learned Principal District and Sessions Judge, (Mahila Court),
Kancheepuram
- 2.Inspector of Police,
T-14, Mangadu Police Station,
Mangadu,
Chennai 600 122
- 3.Central Prison,
Puzhal
- 4.The Public Prosecutor,
High Court, Madras.

**ADVANCE ORDER
in Crl.A.No.1360 of 2025 &
Crl.MP.No.16324 of 2025**

28.08.2025
($\frac{1}{2}$)