



WEB COPY



Crl.O.P.No.31708 of 2024
and
Crl.A.SR.No.57801 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Crl.O.P.No.31708 of 2024
and
Crl.A.SR.No.57801 of 2024

State of Tamil Nadu Represented by
The Inspector of Police,
Kumaratchi Police Station,
Cuddalore District,
Crime No.121 of 2018.

... Petitioner

Vs

Selvaraj

... Respondent

Prayer : Criminal Original Petition filed under Section 378(4) of Cr.P.C., to
grant leave to file an appeal to this Court against the acquittal judgment
passed by the learned Mahila Court, Cuddalore District in S.C.No.143 of

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2019, dated 29.04.2024.

For Petitioner : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

For Respondent : Mr.J.Chandran Sundar Sashikumar

ORDER

[Order of the Court was made by **P.VELMURUGAN, J.,**]

This petition has been filed seeking leave of this Court to file an appeal against the acquittal passed by the learned Mahila Court, Cuddalore District in S.C.No.143 of 2019, dated 29.04.2024.

2. The learned Additional Public Prosecutor appearing for petitioner submitted that from the evidence of P.Ws.1, 7 and 11, the prosecution has



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proved its case beyond reasonable doubt. Since the other witnesses turned hostile, the trial Court extended the benefit of doubt to the accused. It is further submitted that the trial Court failed to properly appreciate the evidence of P.Ws.1, 7, 8, 9 and 11 to 14 and therefore, the State has filed the present appeal.

3. The learned counsel appearing for the respondent / accused submitted that except P.Ws.1, 7 and 11, all other witnesses have not supported the case of the prosecution. Even P.W.11, the Doctor who conducted the post-mortem did not clearly depose about the injuries sustained by the deceased. Therefore, it is contended that the judgment of the trial Court is well-reasoned and there is no perversity in the appreciation of evidence. The benefit of doubt was rightly extended to the accused and no arguable points have been raised by the petitioner to justify the grant of leave to appeal.



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4. Heard both sides.

5. On a perusal of the grounds raised by petitioner, as well as the evidence of P.Ws.1, 7, 9 and 11, this Court is of the view that the grounds of appeal disclose arguable points. Therefore, leave is granted.

6. The Registry is directed to number the Criminal Appeal, if it is otherwise in order and list the matter in the usual course.

(P.V., J.) (M.J.R., J.)

01.12.2025

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To

The Mahila Court,
Cuddalore District.



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