



CrI. A(MD)No.516 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.06.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**CrI. A(MD)No.516 of 2026
and
CrI.M.P.(MD).No.9332 of 2026**

Paul Emerson Prasanna

: Appellant(s)

Vs.

**State of Tamil Nadu,
represented through
The Inspector of Police,
Samayapuram Police Station,
Trichy District.
Crime No.665 of 2015**

: Respondent(s)

PRAYER: Criminal Appeal is filed under Section 415(2) of BNSS to call for the records in S.C.No.197 of 2023 on the file of the II Additional District and Sessions Judge, Trichirappalli by the judgment dated 08.07.2025 and set aside the order of conviction and sentence.

For Appellant : Mr.S.Srikanth

**For Respondent : Mr.C.Christober,
Counsel for the State of Tamil Nadu,
(Criminal Side)**



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J U D G M E N T

**(Judgment of the Court was
delivered by N.ANAND VENKATESH, J)**

This Criminal Appeal has been filed against the judgment of the II Additional District and Sessions Court, Trichirappalli, dated 08.07.2025 made in S.C.No.197 of 2023.

2. The appellant was convicted for offence under Section 302 of IPC and was sentenced to undergo life imprisonment and to pay a fine of Rs.10,000/- in-default to undergo six months simple imprisonment.

3. The case of the prosecution is that on 16.12.2015 at about 20.50 hrs., near Sundara Mahal Marriage Hall at Samayapuram Main Road, the car was parked by the deceased and he had gone to his office and was coming back and at which point of time, A1, A6, A10, A11 and A12 are said to have attacked the deceased with deadly weapons indiscriminately and as a result, the deceased died on the spot. This incident is said to have taken place in the presence of PW1, who is the wife of the deceased. She gave a complaint (Ex.P1) to the Sub Inspector of Police, Samayapuram Police Station (PW29), based on which, an FIR (Ex.P16)



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came to be registered in Crime No.665/2015 for offences under Sections 147, 148, 341 and 302 IPC.

3.1. PW30 took up the investigation and he went to the scene of crime and prepared the observation mahazar (Ex.P18) and rough sketch (Ex.P17). The dead body was sent for postmortem through Head Constable PW21. The Investigating officer seized the bloodstained soil and soil without bloodstain (MO6 and MO7) under mahazar Ex.P19. Thereafter the investigating officer went to the Government Hospital and conducted inquest on the dead body in the presence of panchayatdars and prepared the inquest report (Ex.P20).

3.2. The investigation was thereafter taken up by PW31, who arrested A1, A12 and A10 on 19.12.2015 at about 13 hrs. and based on their confession, MO4, MO5, MO8 to MO11 were recovered under mahazar Ex.P22. Thereafter, A6, A2 and A11 were arrested on the same day at about 16.30 hrs and based on their confession, MO1 to MO3 and MO12 to MO17 were recovered under Mahazar Ex.P23 and Ex.P24. All the accused persons were produced before the concerned Court and they were remanded to judicial custody.



3.3. On 29.12.2025, at about 11 a.m., A8 and A7 were arrested and they were remanded to judicial custody. The material objects seized were sent to the Court under Form 95 with a request to send them for chemical analysis. He also recorded the statement of some of the witnesses under Section 161 Cr.P.C. He also received postmortem report from PW25, which was marked as Ex.P13 and the following injuries were recorded in the postmortem report:

“1) Vertical curved chop wound over the forehead, 16 x2 cm, brain deep; convexity facing left side, starting from midpoint of two eyebrows and ends on right frontal regions scalp, left margin visible, right margin undermined; On dissection, underlying frontotable bone cut and fractured in same manner of size 9 * 1.2 cm; membranes torn brain tissue injury of right frontal lobe of size 7 * 1 * 1 cm;

2) Horizontal chop wound at the lower end of injury no.1, over forehead and both eyebrows, 15 * 3 cm, bone deep; underlying orbital roof fractured on right side;

3) Nose-cut and severed off of size 5 * 3 cm, bone deep, nasal bone fractured; Cut piece is missing;

4) Oblique, upper end on left side, lower end- right side: upper front tooth and lower right side front tooth fractured, upper jaw severed off; 14 * 1

5) Horizontally placed multiple intersecting cut wounds along the lower jaw and adjoining neck, 27 * 3 cm, Transecting all the neck structures except the muscles and skin at the back of neck; hyoid bone cut and severed on left side; shirt collar is cut overlying the injury.

6) Oblique chop wound, over the left side of neck, upper end on side of the neck and lower end on midline of the body, of size 7 * 1 cm, muscle deep; lower margin is undermined and the upper margin is seen; situated 6 cm above the collar bone;



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7) Oblique cut wound over the centre and front side of upper part of the chest of size 10 * 2.5 cm, muscle deep; upper end on right side, lower end on left side, situated 1 cm below suprasternal notch; shirt overlying is cut;

8) Horizontally placed reddish brown abrasion, 4 * 0.5 cm, situated, 1cm below the injury no 7.

9) Horizontal puncture wound over the centre of the front side chest, of size 1.5 * 0.6 cm, bone deep directed upward, backward, situated, 2.5 cm below injury no 8. Shirt overlying is torn;

10) Cut wound involving the back of the right hand.

a. Over the knuckle of size 8 * 2 cm joint cavity deep, involving 3rd 4th and 5th finger underlying bones cut and severed, front side of the skin intact;

b. Over index finger of size, 2 * 0.5 cm, bone deep, situated 5.5 cm above from tip of the same finger,

c. Thumb, involving nails and adjoining part, circumferentially, of size 4 x 0.5 cm, bone deep,

d. Obliquely placed, over ring finger, 2.5 * 1 cm, bone deep and severed;

11) Oblique cut wound over back of the Left index finger, knuckle region, 2 x 0.5 cm, muscle deep;

12) Oblique cut wound over back of the head, at midline of the body, of size 3.5 x 0.7 cm, bone deep upper end on right and lower end on left side, situated 10 cm below from top of head;

13) Oblique chop wound, over left side and back of the head, of size 11 x 0.5 cm, muscle deep, upper margin is visible and lower margin is undermined, front end is situated above on left side, back end at midline of the body on back; situated 15 cm below from top of the head;

14) Oblique stab wound over the front and left side of the neck, of size 2 x 0.5 x 3 cm, upper end clean cut placed on side of the neck and lower end is blunt placed towards the midline of the body; It is directed towards right, downward and back;

15) Vertically placed red colour linear abrasion over the back



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of the chest, on left side outer aspect, of size 26 x 0.3 cm starts from tip of the left shoulder.

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... No other ante mortem injuries anywhere on the body; blood in gauze piece for blood grouping.

Opinion as the cause of death – the deceased would appear to have died due to multiple injuries. ”

3.4. The investigation was thereafter taken up by PW32, who arrested A3 on 03.09.2016 and he was remanded to judicial custody. He collected all the relevant reports (Ex.P27 to Ex.P29). He had also sent MO18 to MO23 for chemical analysis and filed an alteration report (Ex.P26) for altering the offences to Sections 147, 148, 341, 302 r/w 120(b) IPC. He further completed the investigation and filed the final report before the Judicial Magistrate No.3, Trichy as against 13 accused persons, which was taken on file in PRC No.18/2017. The learned Magistrate, after serving copies to the accused persons under Section 207 Cr.P.C., committed the case, which was made over to the II Additional District and Sessions Court, Tiruchirappalli and was taken on file in SC No.245/2018.

4. Insofar as the appellant (A-10) is concerned, since he absconded, the case was split up and the appellant was separately tried in S.C.No.197 of 2023.



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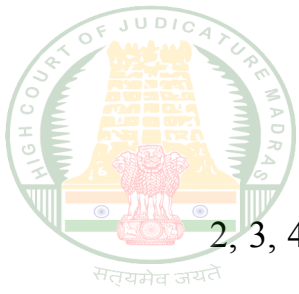
5. The prosecution examined P.W.1 to P.W.32 and marked Ex.P.1 to P.13 and placed reliance upon M.O.1 to M.O.23.

6. The incriminating evidence and circumstances were put to the appellant while he was questioned under Section 313 (i)(b) of Cr.P.C., and he denied the same as false.

7. The trial Court on considering the facts and circumstances of the case and on appreciation of oral and documentary evidence came to a conclusion that the prosecution has proved the case beyond reasonable doubts and accordingly, convicted the appellant for offence under Section 302 of IPC and sentenced to undergo life imprisonment. Aggrieved by the same, the present Criminal Appeal has been filed before this Court.

8. Heard the learned counsel on either side.

9. This Court dealt with the connected Criminal Appeals in Crl.A. (MD).Nos.952, 964, 900 of 2023 and 500 of 2024 filed by Accused Nos.



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2, 3, 4, 6, 11 and 13. On re-appreciation of evidence and on considering the grounds raised in this appeal, this Court found that the prosecution did not prove the case beyond reasonable doubts and accordingly, the benefit of doubt was given in favour of the accused persons therein and they were acquitted from all the charges by judgment dated 23.03.2026.

10. In the case in hand, the appellant has been arrayed as Accused No.10 and the very same materials that were relied upon for the other accused persons has been put against the appellant. Hence, the same reasoning that was assigned by this Court while acquitting the other accused persons will enure in favour of the appellant also on the principle of parity. Useful reference can be made to the judgment of the Hon'ble Apex Court in the case of ***Javed Shaukat Ali Qureshi Vs. State of Gujarat*** reported in ***AIR 2023 Supreme Court 4444***.

11. In view of the above, the benefit of doubt is extended in favour of the appellant also and accordingly, this Criminal Appeal stands allowed. The conviction and sentence imposed on the appellant/A10 in SC No.197 of 2023 by the II Additional District and Sessions Judge, Tiruchirappalli is set aside and he is acquitted from all charges. Fine



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amount paid, if any, is ordered to be refunded. The appellant is directed to be released forthwith unless his detention is required in connection with any other case. Consequently, the connected miscellaneous petition is closed.

[N.A.V., J.] [K.K.R.K., J.]
02.06.2026

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
TSG
To

- 1.The III Additional District and Sessions Court, Trichirappalli.
- 2.The Inspector of Police,
Samayapuram Police Station,
Trichy District.
- 3.The Superintendent of Prisons, Central Prison, Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.
AND
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