

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On	:	16.06.2026
Pronounced On	:	25.06.2026

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

CrI.A(MD).No.54 of 2024

Chandrasekar

... Appellant/Sole Accused

Vs.

The State rep., by,  
The Inspector of Police,  
Dindigul Town South Police Station,  
Dindigul District.  
Cr.No.34 of 2019.

... Respondent / Complainant

**PRAYER:-** Criminal Appeal is filed under Section 374(2) of Criminal Procedure Code, to call for the records in S.C.No.12 of 2020 dated 27.02.2023 passed by the Learned Mahila Fast Track Court, Dindigul District, and to set aside the same.

For Appellant : Mr.Ponkarthikeyan

Legal Aid Counsel

For Respondent : Mr.Venkatesh

Counsel For State of TN (CrI.Side)



## J U D G M E N T

WEB COI (Judgment of the Court was delivered by **K.K.RAMAKRISHNAN.J.**)

The appellant / accused has preferred the present appeal challenging the judgment made in S.C. No.12 of 2020 dated 15.03.2024 by the Fast Track Mahila Court (Sessions Court), Dindigul, whereby he was convicted and sentenced in the following manner:

S.No.	Sentence of Law	Sentence of Imprisonment	Fine
1	Section 449 IPC	10 years Rigorous Imprisonment	Rs.1,000/-; in default, to undergo 6 months Simple Imprisonment
2	Section 380 IPC	6 years Rigorous Imprisonment	Rs.1,000/-; in default, to undergo 6 months Simple Imprisonment
3	Section 302 IPC	Life Imprisonment	Rs.5,000/-; in default, to undergo 1 year Simple Imprisonment

### **2. Facts of the case :**

2.1. According to the prosecution, the deceased was a resident of Ariyanoor Village, Dindigul District. On 23.01.2019, while she was alone in the upstairs portion of her house, the accused, with the intention of committing robbery and causing her death, criminally trespassed into the house and brutally

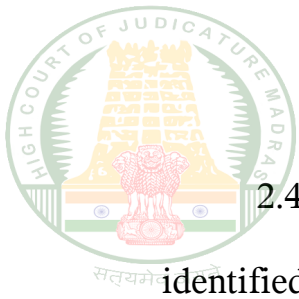


stabbed her to death. After committing the murder, the accused allegedly removed 23½ sovereigns of gold jewellery, a mobile phone, cash of Rs. 13,000/-, and an ATM card belonging to the deceased.

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2.2. At the relevant point of time, the husband of the deceased was employed abroad. When he was unable to reach his wife over the phone, he got worried and informed P.W.1, the sister of the deceased. P.W.1 immediately proceeded to the house and found the deceased lying dead with multiple stab injuries. She thereafter lodged a complaint before P.W.28, the Sub-Inspector of Police, who registered a case in Crime No.34 of 2019.

2.3. Initially, the case was registered under Section 304 IPC. Subsequently, P.W.29, the Inspector of Police, took up the investigation. He visited the scene of occurrence, prepared the Observation Mahazar and Rough Sketch, conducted an inquest, examined the witnesses, and collected the material objects available at the scene. Upon investigation, he found prima facie materials indicating that the occurrence was a case of murder for gain. Accordingly, the case was altered to offences punishable under Sections 449, 302 and 380 IPC, and the investigation was proceeded with.

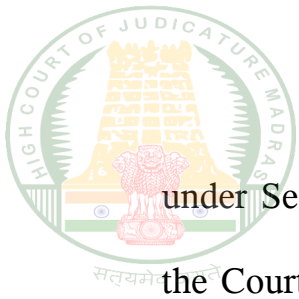


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2.4. During the course of investigation, the Investigating Officer identified the involvement of the accused and arrested him on 25.01.2019 in the presence of P.Ws.17 and 18. The accused allegedly gave a voluntary confession, pursuant to which several incriminating articles, including the stolen gold jewels and other material objects, were recovered from an auto-rickshaw which was found in his possession. Based on the said recovery and the other incriminating materials collected during investigation, the accused was remanded to judicial custody.

2.5. The Investigating Officer thereafter forwarded the recovered articles, including the bloodstained clothes and other material objects, for scientific examination. Subsequently, P.W.31, the Deputy Superintendent of Police, continued the investigation by examining the remaining witnesses and obtaining the reports of the Fingerprint Expert, Footprint Expert, Handwriting Expert and the Forensic Science Laboratory. After completion of the investigation and receipt of all expert reports, the final report was laid before the learned Judicial Magistrate No.III, Dindigul.

2.6. The learned Judicial Magistrate took cognizance of the offences in P.R.C. No.9 of 2019, furnished copies of the prosecution records to the accused



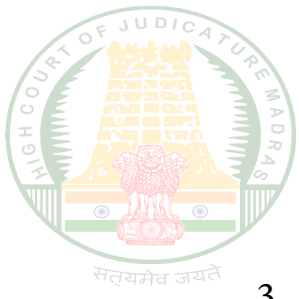
under Section 207 Cr.P.C., and, since the offences were exclusively triable by the Court of Session, committed the case to the Sessions Court under Section 209 Cr.P.C. The learned Sessions Judge thereafter took the case on file as Sessions Case No.12 of 2020.

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2.7. Upon the appearance of the accused, the learned trial Judge framed the necessary charges, which were read over and explained to him. The accused denied the charges and claimed to be tried.

2.8. To substantiate its case, the prosecution examined P.Ws.1 to 32, marked Exhibits P1 to P32, and produced Material Objects 1 to 28. After the prosecution evidence was concluded, the accused was examined under Section 313 Cr.P.C. with reference to the incriminating circumstances appearing against him. He denied all the incriminating circumstances as false and pleaded complete innocence. No oral or documentary evidence was adduced on behalf of the defence.

2.9. Upon appreciation of the oral and documentary evidence, the learned trial Judge found the accused guilty of the offences charged, convicted him, and imposed the sentences as detailed in the judgment. Aggrieved by the said conviction and sentence, the present criminal appeal has been preferred.



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3. When the appeal was taken up, this Court noticed that no counsel appeared on behalf of the appellant. Accordingly, the appellant was directed to be produced through video conferencing from the prison. Upon his appearance, this Court enquired whether he desired legal assistance at the expense of the State. The appellant expressed his willingness to avail legal aid. Consequently, this Court appointed Mr. Pungathyan, learned Legal Aid Counsel, an experienced member of the Bar having more than sixteen years of standing in criminal law and who has been effectively conducting criminal matters before this Court, to represent the appellant.

4. The learned Legal Aid Counsel, after meticulously going through the entire records threadbare, advanced the following submissions:

4.1. The learned counsel contended that there existed a long-standing dispute between P.W.1, the deceased and the other family members with regard to partition of the ancestral properties, thereby indicating a strong motive for some other person to commit the offence. According to him, the investigating agency failed to consider this aspect and hastily implicated the appellant.



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4.2. It was further submitted that the house of the deceased had a rear entrance, providing easy access to outsiders. Therefore, the possibility of some unknown person entering through the back entrance, committing the murder and escaping from the scene cannot be ruled out. However, the Investigating Officer failed to investigate in this angle and done lopsided investigation and falsely framed the case against the appellant.

4.3. The learned counsel next contended that there was considerable delay in the registration of the First Information Report after the receipt of information from P.W.1, and that such delay remained unexplained, thereby creating serious doubt regarding the genesis of the prosecution case.

4.4. It was further argued that, according to the prosecution itself, P.W.3, the father of the deceased, was present in the ground floor of the very same house at the relevant point of time. Had such a brutal murder been committed in the upstairs portion, and when the deceased had resisted the attack, she would have shouted and screamed, which would have drawn the attention of her father. The complete absence of any such evidence renders the prosecution version highly improbable.

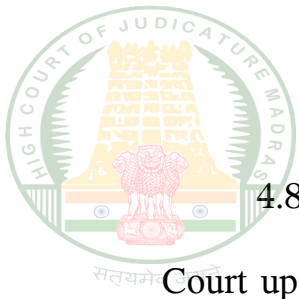


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4.5. The learned counsel further submitted that the evidence of the witnesses who claimed to have seen the accused entering or leaving the house is wholly unreliable. None of those witnesses spoke about hearing any out cry or noticing any suspicious movement during the relevant time. Their evidence, therefore, appears to have been subsequently introduced only to create a false chain of circumstances against the appellant.

4.6. The learned counsel also assailed the recovery proceedings. According to him, the alleged recovery of the jewels and other material objects pursuant to the confession of the accused is highly doubtful. One of the attesting witnesses to the recovery had been treated partly hostile, thereby rendering the recovery proceedings unreliable. Once the recovery itself becomes doubtful, the entire prosecution case collapses, as there is no other convincing incriminating evidence connecting the appellant with the crime.

4.7. Placing reliance upon the evidence of P.W.8, the learned counsel further submitted that P.W.8's son had initially been detained by the police for more than a day and was subsequently released. This circumstance, according to the defence, probalises the contention that the investigating agency had initially suspected involvement of other persons but later falsely implicated the appellant only to close the investigation.



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4.8. The learned counsel also challenged the reliance placed by the trial Court upon the doctrine of *res gestae* under Section 6 of the Indian Evidence Act, contending that there was no contemporaneous or proximate transaction so as to attract the application of the said provision.

4.9. It was further contended that neither the fingerprint evidence nor the footprint evidence was properly collected or scientifically established so as to connect the appellant with the occurrence. In the absence of reliable scientific evidence, according to the learned counsel, the appellant can not be convicted.

4.10. The learned counsel also submitted that the trial Court erroneously invoked the theory of "last seen together". According to him, there is absolutely no evidence to show that the deceased was last seen in the company of the appellant immediately prior to the occurrence. In the absence of such evidence, the doctrine of last seen together has no application whatsoever.

4.11. In sum and substance, the learned counsel contended that the appellant has been falsely implicated only to close the investigation in haste, and therefore prayed that the conviction and sentence be set aside and the appellant be acquitted of all the charges.



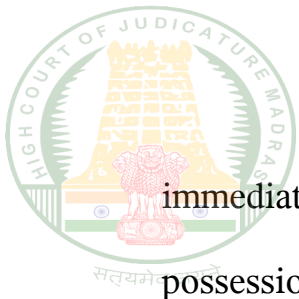
5. Per contra, the learned Additional Public Prosecutor supported the judgment of conviction and sentence.

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5.1. The learned Additional Public Prosecutor submitted that the contention regarding delay in the registration of the FIR is wholly misconceived. The materials on record clearly establish that immediately upon receipt of the information, the police registered the FIR at about 3.00 p.m. The interval between the occurrence and registration of the case has been satisfactorily explained by the prosecution and does not cast any suspicion about the registration of the case.

5.2. With regard to the recovery, the learned Additional Public Prosecutor submitted that the recovery witness was treated partly hostile only in respect of certain omissions. During further examination and cross-examination, the witness substantially supported the prosecution regarding the recovery. Merely because a witness was declared partly hostile on certain aspects, his testimony cannot be discarded in its entirety, particularly when the recovery stands corroborated by other evidence on record.

5.3. It was further submitted that the stolen gold jewels and other articles belonging to the deceased were recovered from the possession of the appellant



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immediately after the occurrence. Such instant recovery and unexplained possession attracts the presumption under Illustration (a) to Section 114 of the Indian Evidence Act, namely, that a person found in possession of stolen property soon after the theft, is either the thief or has received the property knowing it to be stolen, unless he offers a satisfactory explanation. Where theft and murder form part of the same transaction, the said presumption legitimately extends to the offence of murder for gain. The learned Additional Public Prosecutor submitted that the said principle has been consistently recognised by the Hon'ble Supreme Court in a catena of decisions.

5.4. The learned Additional Public Prosecutor further submitted that the alleged motive arising out of partition disputes among the family members is a mere suggestion without any evidentiary foundation. No material whatsoever has been produced to probabilise such a theory.

5.5. Lastly, it was submitted that the investigation was conducted fairly and using scientific technology. Apart from recovering the stolen properties, the Investigating Officer collected fingerprint evidence, footprint evidence, hair samples and other forensic materials from the scene of occurrence, all of which substantially corroborate the prosecution case. The complete chain of



circumstances has been firmly established, leaving no reasonable doubt regarding the guilt of the appellant. Hence, the learned Additional Public

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Prosecutor prayed that the conviction and sentence imposed by the trial Court be affirmed and the appeal dismissed.

6. This Court has carefully considered the rival submissions advanced by the learned counsel on either side, perused the entire records, and examined the relevant precedents relied upon by them.

7. The principal question that arises for consideration is *whether the conviction and sentence imposed upon the appellant is legally sustainable?*

8. The prosecution case is that PW10 is the husband of the deceased and was employed abroad at the relevant point of time. PW3, the father of the deceased, categorically deposed that the deceased was residing in the first floor of the house, while PW2 was residing in the ground floor. During the Pongal festival, PW3 had visited his daughter's house and was staying there for a few days. PW7 is the minor son of the deceased, and PW8 was employed as the domestic servant in the deceased's house. The evidence further discloses that the accused was the brother of the deceased's husband. He had earlier settled in



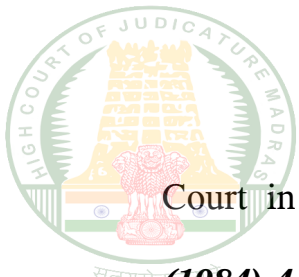
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Mumbai and was allegedly involved in certain theft cases. Thereafter, he shifted his residence to Dindigul. PW8 introduced the accused to the deceased, who thereafter engaged him for carrying out household errands, such as purchasing domestic articles and attending to house hold chores. The accused was also operating an autorickshaw. Taking advantage of the confidence reposed on him, the accused, on 23.01.2019, criminally trespassed into the house of the deceased while she was alone, armed with a deadly weapon. He brutally stabbed her to death and thereafter committed theft of her gold jewels, cash, mobile phone and ATM card. The evidence of PW3, PW4, PW5, PW6, PW11 and PW15 consistently establishes that they had seen the accused entering the house of the deceased through the ground floor and proceeding upstairs shortly before the occurrence. They further witnessed him coming out of the house carrying a handbag after a short while. Since the accused had been regularly visiting the house to assist the deceased in domestic work, no suspicion initially arose regarding his movements. Subsequently, when PW10, the husband of the deceased, attempted to contact her over the phone from abroad and had no response, he informed PW2 and requested her to visit the deceased. PW2 immediately proceeded to the house and found the deceased lying dead with multiple stab injuries. Thereafter, PW8 and PW9 also reached the place of occurrence and confirmed that the deceased had been murdered. During the course of investigation, PW29, the Investigating Officer, unearthed the



involvement of the accused. The accused was arrested on 25.01.2019 in the presence of PW17 and PW18. Pursuant to his voluntary disclosure statement admissible under Section 27 of the Indian Evidence Act, the stolen jewels, mobile phone and ATM card belonging to the deceased were recovered from the autorickshaw in his possession. Apart from the recovery, the ocular evidence of PW3, PW4, PW5, PW6, PW11 and PW15 consistently proves that the accused was the person who entered the house during the relevant period and came out shortly thereafter. There is absolutely no evidence that any other person entered the house between the time the deceased was last seen alive and the discovery of her dead body.

9. The learned trial Judge rightly appreciated the cumulative effect of the "last seen" evidence, the recovery of stolen articles at the instance of the accused, and the surrounding circumstances. Though the trial Court referred to the principle of *res gestae*, the present case is more appropriately governed by the settled principles relating to circumstantial evidence, last seen together, and discovery under Section 27 of the Evidence Act. When these circumstances are considered together, they form a complete chain leading only to the hypothesis of the guilt of the accused, excluding every other possible hypothesis consistent with innocence. In this regard, the principles laid down by the Hon'ble Supreme



Court in *Sharad Birdhichand Sarda v. State of Maharashtra* reported in

(1984) 4 SCC 116, regarding proof by circumstantial evidence; *State of U.P. v.*

*Satish* reported in (2005) 3 SCC 114, concerning the doctrine of "last seen

together"; and *Pulukuri Kottaya v. Emperor* reported in AIR 1947 PC 67,

explaining the scope of discovery under Section 27 of the Evidence Act,

squarely apply to the facts of the present case.

10. The learned counsel appearing for the appellant contended that the recovery has not been proved in accordance with law. This contention cannot be accepted. PW29, the Investigating Officer, has clearly deposed regarding the arrest of the accused on 25.01.2019. The attesting witnesses, PW17 and PW18, have consistently deposed that the accused voluntarily made a disclosure statement, pursuant to which he identified the autorickshaw and produced the stolen jewels belonging to the deceased concealed in the Autorickshaw. The recovery mahazar was duly prepared in their presence and attested by them. Although PW17 and PW18 were subjected to lengthy cross-examination, nothing material has been elicited to discredit their testimony or cast any doubt upon the recovery proceedings. This Court, therefore, finds that the recovery has been proved strictly in accordance with law. Further, PW1 and PW10 have specifically identified the recovered jewels as belonging to the deceased.

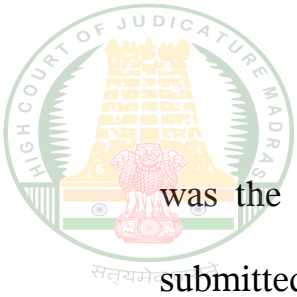


Consequently, the prosecution has established beyond reasonable doubt that the stolen properties recovered pursuant to the disclosure statement belonged to the deceased.

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11. The defence further attempted to suggest that the murder might have been committed by some other person owing to an alleged partition dispute within the family. This suggestion was merely made during cross-examination of PW1. However, no documentary or oral evidence whatsoever has been produced to establish the existence of any such partition dispute. On the contrary, the evidence shows that PW3, the father of the deceased, was present in the house during the relevant period, and nothing has been elicited from him to probalilise such a theory. A mere suggestion made during cross-examination, unsupported by any substantive evidence, cannot create a reasonable doubt regarding the prosecution case. Accordingly, the alternative theory projected by the defence is wholly untenable and deserves to be rejected.

12. The learned counsel appearing for the appellant contended that PW8, the housemaid of the deceased, deposed that immediately after receiving information from the husband of the deceased regarding her unanswered phone calls, she sent her son to the house of the deceased. According to PW8, her son



was the first person to enter the house after the occurrence. It was further

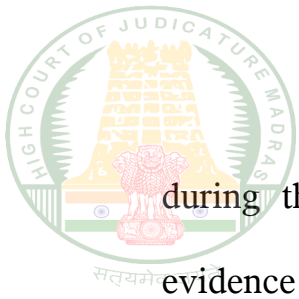
submitted that the son of PW8 was taken to the police station and subjected to

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enquiry for one day. However, no effective investigation was conducted in that regard. Therefore, according to the learned counsel, the possibility of the involvement of some other person in the commission of the offence cannot be ruled out.

13. The learned counsel further submitted that there existed a rear entrance to the house and that an unidentified person could have entered through the back door and committed the murder. It was argued that the prosecution failed to eliminate this possibility and, therefore, the appellant is entitled to the benefit of doubt.

14. This Court is unable to accept the said submissions. It is true that PW8 received information from PW10, the husband of the deceased, who was employed abroad, that the deceased was not responding to his phone calls. Immediately thereafter, PW8 sent her son to the house of the deceased. On reaching the house, he found the deceased lying dead with multiple stab injuries. Shortly thereafter, several other persons also reached the place of occurrence. The Investigating Officer, therefore, examined the son of PW8



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during the course of investigation to verify the sequence of events. The evidence on record further discloses that the Investigating Officer did not mechanically conclude that the appellant was the offender. On the contrary, a detailed investigation was conducted by obtaining the reports of the fingerprint expert, footprint expert, handwriting expert and other scientific experts. Only after analysing the entire scientific evidence along with the oral evidence did the Investigating Officer arrive at the conclusion that the appellant alone was involved in the commission of the offence and that no other person had any complicity in the occurrence. The fingerprint and footprint expert reports marked under Ex.P.11, clearly established the presence of the appellant at the scene of occurrence. Though certain minor discrepancies were pointed out regarding the forwarding of the specimen prints to the Court and the Forensic Science Laboratory, such procedural irregularities do not affect the evidentiary value of the expert reports. The scientific evidence itself remains unimpeached and conclusively establishes that the fingerprints and footprints recovered from the scene correspond with those of the appellant. There is no material infirmity in the expert evidence warranting its rejection.

15. Accordingly, this Court is satisfied that the prosecution has successfully established the presence of the appellant at the scene of occurrence



at the relevant point of time and has ruled out the involvement of any third person.

16. So far as the recovery is concerned, this Court has already held that the recovery of the stolen articles has been proved beyond reasonable doubt through the cogent evidence of PW17 and PW18, the attesting witnesses, coupled with the testimony of PW29, the Investigating Officer. Once the recovery of the stolen properties belonging to the deceased was made from the accused is proved and the appellant is found to have been in possession of those properties soon after the murder, the presumption under Section 114 illustration (a) of the Indian Evidence Act, 1872 squarely applies. where the accused is found in possession of the articles belonging to the deceased soon after a murder committed for gain, and fails to offer any satisfactory explanation for such possession, the Court can legitimately draw the inference that the accused committed both the theft and the murder.

17. This Court also in recent judgment in the case of CrI.A.(MD)No.1117 of 2023 has applied the above principle and the relevant paragraphs are as follows:-

*“33. It will be relevant to take note of Section 114 of the Indian Evidence Act corresponding to Section 119 of Bharatiya Sakshya Adhinyam 2023. For proper appreciation, the same is*



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extracted hereunder: *“The Court may presume existence of certain facts the Court may presume the existence of any fact which it thinks likely to have happened, regard being had to the common course of natural events, human conduct and public and private business, in their relation to the facts of the particular case. Illustration The court may presume - (a) That a man who is in possession of stolen goods soon after the theft is either the thief or has received the goods knowing them to be stolen, unless he can account for his possession.”*

*34. The presumptions provided under this provision gives room for a Court to exercise its power of inference and the Court can throw the burden of proof on whichever side it chooses. Drawing of presumption under this section is discretionary and not mandatory. A presumption once drawn under this provision can be rebutted by leading cogent evidence to the contrary. At this juncture, this Court recalls a metaphor alluded to the American Judge Lamm, J., that “presumptions are like bats, flitting in the twilight but disappearing in the sunshine of facts.”*

*The effect of this provision is to enable the Courts to use their own common sense and experience in judging the effect of particular facts and that is the reason why illustrations have been given based on decided cases in English Law. The section authorises the Court to make certain presumptions of fact and this presumption naturally arise on the facts of the case.*

*36. A presumption is not evidence or proof. It only shows on whom the burden of proof lies, in effect, presumptions of law*



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or fact may shift the burden of proof and they may be rebutted not only by evidence but also by presumption of law or fact. A man is presumed to know and intend the natural consequences of his acts. That is the basis on which the entire provision has been brought into Indian Evidence Act/Bharatiya Sakshya Adhiniyam, 2023. In this provision, the Court may presume the existence of any fact which it thinks likely to have happened having regard to the common course of natural events, human conduct and public and private business in their relation to the facts of the case.

37. For the facts of the present case, illustration (a) will have a lot of relevance. The illustration raises two presumptions, viz., that the person in possession of stolen goods soon after the theft, is either (a) thief or (b) has received the goods knowing them to be stolen. The presumption contemplated under this illustration is not a presumption as to the fact of possession, but the presumption of guilt which arises from the accused not accounting for his possession of stolen goods, which he is proved to be in possession soon after the theft.

38. Where a person is found in possession of the fruits of crime and unless he explains as to how he came into possession thereof, two inferences can be drawn by the court; first – that somebody sold or gave the same to him or second - he removed them while committing the crime. Both these facts would be within the personal knowledge of the possessor. Hence, the burden of proof is on the accused person to explain as to how he

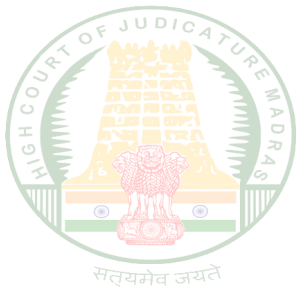


came in possession of the stolen property, since the prosecution has no means to ascertain his knowledge.

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39. At this juncture it is also relevant to take note of the judgment of the Apex Court in *Earabhadrapa v. State of Karnataka* reported in AIR 1983 SC 446 and the relevant portion is extracted hereunder:

“13.This is a case where murder and robbery are proved to have been integral parts of one and the same transaction and therefore the presumption arising under illustration (a) to Section 114 of the Evidence Act is that not only the appellant committed the murder of the deceased but also committed robbery of her gold ornaments which form part of the same transaction. The prosecution has led sufficient evidence to connect the appellant with the commission of the crime. The sudden disappearance of the appellant from the house of P.W.3 on the morning of March 22, 1979 when it was discovered that the deceased had been strangled to death and relieved of her gold ornaments, coupled with the circumstance that he was absconding for a period of over one year till he was apprehended by P.W.26 at village Hosahally on March 29, 1980, taken with the circumstance that he made the statement Ex.P-35 immediately upon his arrest leading to the discovery of the stolen articles, must necessarily raise the inference that the appellant alone and no one else was guilty of having committed the murder of the deceased and robbery of her gold ornaments. The appellant had no satisfactory explanation to offer for his possession of the stolen property. On the contrary, he denied that the stolen property was recovered from him. The false denial by itself is an incriminating circumstance. The nature



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*of presumption under illustration (a) to Section 114, must depend upon the nature of the evidence adduced. No fixed time limit can be laid down to determine whether possession is recent or otherwise and each case must be judged on its own facts. The question as to what amounts to recent possession sufficient to justify the presumption of guilt varies according as the stolen article is or is not calculated to pass readily from hand to hand. If the stolen articles were such as were not likely to pass readily from hand to hand, the period of one year that elapsed cannot be said to be too long particularly when the appellant had been absconding during that period. There was no lapse of time between the date of his arrest and the recovery of the stolen property.”*

*40. In the above case, the accused person is said to have committed the murder and stolen gold ornaments from the deceased. Like, in the case in hand, the recovery of the gold jewelry was based on the admissible portion of the confession given by the accused person. The Apex Court held that where the murder and robbery are proved to have been integral parts of one and the same transaction, the presumption under illustration (a) of Section 114 of the Indian Evidence Act corresponding to 119 (a) of the Bharatiya Sakshya Adhinyam, 2023 is that not only the accused person committed the murder of the deceased but also committed robbery of the golden ornaments, which forms part of the same transaction. If the accused person had no satisfactory explanation to offer for his possession of the stolen property, the legal presumption will apply and it will be put against the accused person ”*



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18. The learned counsel further contended that there was an unexplained delay in lodging the First Information Report. This submission is also devoid of merit. The evidence on record clearly establishes that PW10, who was employed abroad, first realised that the deceased was not answering his repeated phone calls. He immediately contacted PW8 and PW2, requesting them to verify her well-being. PW2, PW8 and PW9 immediately proceeded to the house, where they found the deceased lying dead. Thereafter, without any undue delay, the complaint was lodged at about 3.00 p.m. The sequence of events has been consistently spoken to by the prosecution witnesses and satisfactorily explains the time taken in lodging the complaint.

19. The learned counsel lastly contended that the appellant had in fact been arrested even prior to 25.01.2019 and that the prosecution had suppressed the true facts regarding his arrest. This contention is wholly unsupported by any evidence. There is absolutely no oral or documentary material on record to probabalise such a plea. A mere suggestion made during cross-examination cannot displace the positive evidence adduced by the prosecution regarding the date and manner of arrest.

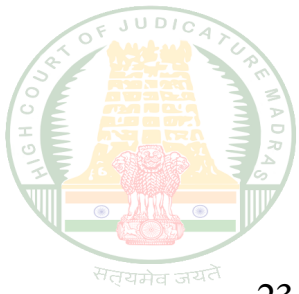


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20. Upon an independent re-appreciation of the entire evidence, this Court finds that every incriminating circumstance has been established beyond reasonable doubt. The chain of circumstances is complete and points unerringly towards the guilt of the appellant. The learned Sessions Judge has correctly appreciated the oral, documentary and scientific evidence and has rightly recorded the order of conviction.

21. The learned counsel for the appellant lastly contended that the evidence had not been properly appreciated by the learned trial Judge. This Court has independently reappreciated the entire evidence on record and finds that the learned trial Judge has meticulously analysed both the oral and documentary evidence. The findings recorded are fully supported by the evidence available on record and are in consonance with the settled principles governing appreciation of circumstantial evidence.

22. The prosecution has successfully established every incriminating circumstance beyond reasonable doubt. The chain of circumstances is complete and points unerringly towards the guilt of the accused, leaving no room for any reasonable hypothesis consistent with his innocence. Consequently, this Court finds no infirmity either in the conviction or in the sentence imposed by the learned Sessions Judge. The appeal is therefore liable to be dismissed.



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23. Accordingly, this Court finds no merit whatsoever in the appeal.

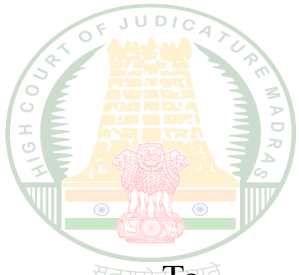
The Criminal Appeal is, therefore, dismissed, and the conviction and sentence imposed by the Mahila Fast Track Court, Dindigul District, in S.C.No.12 of 2020 dated 27.02.2023 are hereby confirmed.

24. This Court places on record its appreciation for the valuable assistance rendered by the learned Legal Aid Counsel, through the High Court Legal Services Committee, who meticulously analysed the entire evidence on record and advanced comprehensive and well-reasoned submissions, which greatly assisted this Court in the disposal of the appeal. This Court further directs the concerned Legal Services Authority/High Court Legal Services Committee to pay a remuneration of **Rs. 25,000/- (Rupees Twenty-Five Thousand only)** to the learned Legal Aid Counsel within a period of **two weeks** from the date of receipt of a copy of this judgment.

[N.A.V.,J.] & [K.K.R.K.,J.]  
25.06.2026

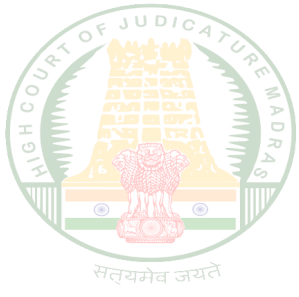
NCC :Yes/No  
Index :Yes/No  
Internet:Yes/No  
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To  
WEB COPY

1. The Inspector of Police,  
Dindigul Town South Police Station,  
Dindigul District.
2. The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**N.ANAND VENKATESH,J.**  
**and**  
**K.K.RAMAKRISHNAN,J.**

dss

**Judgment made in**  
**Crl.A(MD).No.54 of 2024**

**Dated: 25.06.2026**