

IN THE COURT OF SESSIONS, MAGALIR NEETHIMANDRAM,
(MAHILA COURT), COIMBATORE.

Present :- Tmt. R.Nandhini Devi, M.L., D.P.M.,
Sessions Judge,
Magalir Neethimandram, (Mahila Court),
Coimbatore.

Thursday, the 16th Day of JUNE – 2022

SESSIONS CASE No.71/2018
(CNR No.TNCB010012782018)

(Learned Judicial Magistrate No.VII, Coimbatore, had committed this case on 07.04.2018 assigning P.R.C No.5/2018 to the Hon'ble Principal District Court, Coimbatore and the same was taken on file as S.C No.71/2018 on the file of Session Court, Principal District Court, Coimbatore and made over this case to this Court since this Court is designated for trying the offence against Women for conducting trial and dispose-off in accordance with law).

Complainant	:-	<u>For the State,</u> Represented by Inspector of Police, B.13, Podanur (Law & Order) Police Station Crime No. 230/2014.
Name of Accused	:-	DHAMODHARAN (age 28/2014), S/o. Muthusamy, <u>Address</u> :- Door No:10/6, Kambar Street, Kanjikonampalayam, Vellalore, Coimbatore.
Charge Framed against Accused	:-	For the offence u/Sections 498(A) and 306 of I.P.C.
Plea of Accused	:-	Pleads not guilty.
Finding of Judge	:-	Accused not found guilty for the

	offence punishable under Sections 498(A) and 306 of I.P.C.
Result of Case :-	In the result, this Court finds that the accused found not guilty for the offence punishable under Sections 498(A) and 306 of I.P.C. and acquitted him under/Sec.235(1) of Cr.P.C., and he is set at liberty. <u>Exhibits and Property Order</u> (i) Exh.P1 to P24 and Exh.D1 to D3 shall form part of the case records. (ii) Since, no material object is marked in this case. Situation does not arise to pass order as to property disposal.
Prosecution Conducted by :-	Tmt.B.Jisha, B.A., B.L., Special Public Prosecutor for the State, Magalir Neethimandram, (Mahila Court),Coimbatore.
Pleader for Accused :-	Thiru. S. Balamurugan, B.A.,B.L., Advocate for accused.

This Session Case coming on 14.6.2022 for final hearing before me in the presence of Tmt.B.Jisha, B.A.,B.L., Special Public Prosecutor for the State, and of Thiru. S. Balamurugan, B.A.,B.L., Advocate for accused and upon perusing the records, hearing both side arguments, and having stood over for consideration till this day, this Court delivers the following

JUDGMENT**CASE of PROSECUTION as STATED IN FINAL REPORT is as FOLLOWS :-**

The Inspector of Police, Podanur Police station had laid Final Report against accused stating that the accused Dhamodharan is husband of deceased Nathiya, they had loved each other, on 02.12.2013 Nathiya got married to accused and lived together in Kanjikonampalayam. After Nathiya's marriage with accused, accused's sister Nadiya @ Nagammahni came from house of her husband and eloped with a man, who is a close friend of accused. This behaviour of accused's younger sister unable to bear by this accused. He got frustration. So that on 12.2.2014, both the accused and Nathiya were decided to end their life and drunk synthetic cow dung powder. After receiving medical treatment, their lives were saved. On 25.02.2014 Nathiya lodged a complaint against this accused stating that she was not willing to live with him and wanted to go to the home of Ramathal, who is a Maternal Grand Mother of Nathiya. After two days from date of complaint, Police had closed this complaint of Nathiya, in view of compromise reached between the couple as to assurance for good conduct and lead peaceful life. So that, Nathiya had returned to her husband Dhamodharan's home. When Nathiya was staying in her Grand Mother Ramathal's home, she narrated that "her husband used to come heavily drunk alcohol and scolded her unnecessarily". Further, accused

cursed Nathiya that "she had become barren due to consumption of cow dung powder, and accused wanted to get marry of his wife Nathiya's cousin sister" and pestered Nathiya "to negotiate for accused marriage with Nathiya's cousin sister". Since accused had inflicted lot of physical and mental tortures, Nathiya got frustration and decided to end her life and on 29.03.2014 at about 2.00 p.m she poured kerosene on her and set fire in the accused house at bath room. As a result of which, Nathiya died on the spot. Therefore, Investigation Officer has laid Final Report against accused for the offence punishable under **Sections 498(A) and 306 of I.P.C.**

(2) This case has been taken on file by learned Judicial Magistrate No.VII, Coimbatore, and issued summon on accused, he has appeared and received copies of case records u/Sec.207 of Cr.P.C at free cost.

(3) Since this case is exclusively triable by the Court of Session, learned Judicial Magistrate No.VII, Coimbatore has committed this case u/Sec.209 of Cr.P.C to Hon'ble Principal District and Sessions Judge, Coimbatore. In turn, this case is made over to this Court, since this Court is designated Court for trying the offence against Women.

(4) Soon after receiving this case records, Session Case Number has been assigned to this case and learned Special Public Prosecutor has narrated the main facts of the case and documents collected and filed by Investigation officer for supporting his conclusion.

(5) On perusal of case records, it appears that prima facie case is made out against accused. Hence, this Court decided to frame charge against accused. Charges framed against accused **under Sections 498(A)**

and 306 of I.P.C. This framed charges read over explained and questioned in Tamil at accused. Accused pleaded not guilty. Hence, this Court has ordered to commence trial.

- (6) To be strengthen the Prosecution case, 20 oral evidences are adduced as PW.1 to PW.20 ; ExP.1 to ExP.24 are marked. No material object is marked in this case.

CASE OF PROSECUTION AS DEPOSED BY PROSECUTION WITNESSES ARE AS FOLLOWS:-

(7). PW.1 Balakrishnan is a Maternal uncle to deceased Nathiya. He deposed that now he is residing in Door No:11/76-A, Kambar street, Vellalapalayam, Vellalore. His parents name is Rakki gounder and Ramathal. He has 3 elder brothers and 3 elder sisters among his siblings. His eldest sister Govindammal is living with his mother Ramathal at his farm house. His eldest sister Govindammal, had lost her mental balance at the hand of her husband. She suffered head injury when she was living with her husband, he hit in drunken state on Govindammal's head inebriated mood. So that Govindammal returned to her mother Ramathal's house along with her only daughter Nathiya as she was 3 age. Nathiya was bringing-up in the Ramathal house. Nathiya was 23 years age in the year 2013, she went out house of Ramathal and got married to accused, PW.1 Balakrishnan knew the accused. Since Nathiya marriage is love marriage they did not continue their relationship with Nathiya, After marriage Nathiya and accused together were living in Kanjikonampalayam, at

Vellalore. He came to know reading newspaper that Nathiya committed suicide. After 10, 15 days of commission of suicide Nathiya came to the house of Ramathal and stayed for about 2 days. That time Nathiya told to Ramathal that accused used to come to the house with drunken mood and started ill-treating her stating that "she had become barren due to consumption of synthetic cow dung powder". So, Nathiya decided to lodge a complaint in Podanur Police station. Upon complaint, accused was brought to Police station and enquired. After 2 days of this complaint, Nathiya returned to her matrimonial home. On 29.3.2014 Nathiya committed suicide by fire using kerosene. On information, PW.1 rushed-up to accused house. Then he lodged a complaint before Podanur Police Station. That Written Complaint is marked as **Ex.P.1**. In this connection he was enquired by Revenue Divisional Officer (hereinafter mentioned as R.D.O). PW.1 had signed in the statement was recorded by R.D.O. That signature found in the Statement of R.D.O is marked as **Ex. P.2**.

PW.2 Ramathal deposed that she is mother of PW.1. Her husband name is Rakki gounder. She has 4 Sons and 3 Daughters. Her eldest daughter name is Govindammal. Govindammal is having only one daughter. Her name is Nathiya. Nathiya was brought-up by PW.2 Ramathal upto 24 years age. She knows accused. Accused is husband of Nathiya. Nathiya fell in love with accused and got married to accused. That

marriage was not performed by Nathiya's family members. She had got married accused on her own. So that Ramathal's family did not continue their relationship with Nathiya, every communication was cut-off between two families from date of marriage of Nathiya. Nathiya came to PW.2 Ramathal house next before one month of her death. That time Nathiya explained the cruelty inflicted by accused on her stating that "accused used to hold hairs of Nathiya and tossed by Nathiya's husband. Accused had poured water on food items, when Nathiya was eating. Ultimately, accused wanted to get marry Nathiya's cousin sister. Accused's younger sister ran away with one man. For that unwelcomed act of accused's younger sister, got frustration in the mind of accused and he felt that this bad behaviour of his younger sister bringing disreputed against accused family. Accused took small dose of synthetic cow dung powder and he administered orally heavy dose of synthetic cow dung powder to Nathiya. Nathiya survived from this suicidal attempt receiving due treatment. Thereafter, accused scolded at Nathiya stating that she had become unbarren and she has to take steps to marry the accused with Nathiya's cousin sister. Due to this ill-treatment, Nathiya unable to bear this torture committed by accused and she had lodged complaint before Podanur Police station. PW.2 Ramathal has also attended in this enquiry. That time accused had given assurance to change his conduct to lead happy life. Nathiya returned to her matrimonial

home, Within a week of this incident Nathiya committed suicide by fire pouring kerosene to herself, and she was succumbed to death. Attitude of accused is sole cause to death of Nathiya.

PW.3 Venkatachalam deposed that he is Son of PW.2 Ramathal, PW.1 Balakrishnan is younger brother to PW.3 Venkatachalam. He knows the accused. His eldest sister Govindammal was living only for about 3 years with her husband house. Then she returned to Ramathal house with her child Nathiya. Both of them were living with Ramathal. He knows the accused who is nonelse husband of Nathiya. 2 years before Nathiya went out house of Ramathal in the pretext of going to Siva temple. Neither she returned to Ramathal house. She got married to accused on her own. 1-1/2 months after her marriage, accused's younger sister eloped with a man. For that reason Nathiya and accused drunk synthetic cow dung powder. Large dose of cow dung powder consumed by Nathiya, in spite of Nathiya's suicidal information, nobody visted from PW.3 Venkatachalam family to accused house. When PW.1 Balakrishnan and PW.2 Ramathal were living in Thiruvathirai Garden, Nathiya herself came to PW.2 Ramathal house, she cried, she expressed her apprehension killing by accused if she returned to accused house. PW.2 Ramathal told PW.3 Venkatachalam about cruelties made against Nathiya by accused, after Nathiya had gone back to her husband home. On 29.3.2014, brother of PW.3 phoned him and said

that Nathiya set fire and worst condition of Nathiya.

PW.4 Parvathi deposed that she is wife of PW.3 Venkatachalam. Her husband Venkatachalam has 3 sisters and 3 brothers. At the time of occurrence PW.1 Balakrishnan was bachelor. Deceased Nathiya is her sister-in-law Govindammal's daughter. Govindammal is living with PW.2 Ramathal. Nathiya was brought-up in Ramathal house. Govindammal had lost her mental balance. Ramathal is alive on date she knows accused after Nathiya's marriage, accused was known to PW.4 Parvathi. On 2.12.2013 Nathiya had got married the accused on her own. Thereafter, both of them lived together in Kanjikonampalayam and led family life. PW.4 Parvathi did not know about the full detail about Nathiya's family life. One time Nathiya came to Ramathal house and informed to Ramathal that her husband inflicted to lot of cruelty pouring water on eatables; and accused kicked on the body of Nathiya. Then these news informed by Ramathal to PW.4 Parvathi's husband. She came to know that Nathiya committed suicide drinking synthetic cow dung powder from newspaper. After that Nathiya herself came to her house and stated that she and her husband received treatment and health issue solved to both of them. That time she was staying for about 2, 3 days, PW.4 and other family members advised her and she herself returned to her matrimonial home. That time Nathiya informed to Ramathal that her husband used to come house with

intoxicated mood, he wanted to get marry to Nathiya's cousin sister and accused told that Nathiya had become barren; she was unable to bear a child. PW.4 did not know any information about Nathiya directly. When PW.4 went to Nathiya's house. Nathiya dead body was lying on floor, she came to know that Nathiya herself set fire and died.

PW.5 Seenivasan deposed that he is residing in door No:11/76, Kambar street, Vellalapalayam, Vellaore. He is having 3 sisters and 3 brothers. His parents name is Rakki gounder and Ramathal. Govindammal is eldest sister of PW.5 Seenivasan. Her sister Govindammal has only one daughter of Nathiya. Govindammal is residing with PW.2 Ramathal. Since Govindammal suffered by head injury she had lost her mental balance. In the year-2013 Nathiya got married the accused. Both of them fell in love and got married. Thereafter, they started their family life in Kanjikonampalayam. He came to know that accused had poured water on food items, when Nathiya was eating and accused used to pick-up quarrel with Nathiya unnecessarily. Two months next before death of Nathiya, accused and Nathiya both of them had consumed synthetic cow dung powder, received treatment in the Hospital. After that Nathiya had not visited the home of PW.5. But she came to PW.2 Ramathal house and worriedly stated that accused inflicted lot of pain to her, she did not like to live with him.

PW.6 Chellakkuty deposed that he is residing in door No:11/76, Kambar street, Vellalapalayam,Vellalore. His parents name is Rakki gounder and Ramathal. He has 3 sisters and 3 brothers. Govindammal is eldest sister to PW.6. She has one daughter Nathiya. Govindammal was given marriage to one person, who is in Kalapatti. Govindammal was living with her husband for about short time at Kalapatti. Govindammal's husband hit Govindammal's head in the husband home. She was unable to put up with her husband. So she was taken back to PW.2 Ramathal house. In the year-2014 Nathiya age was 24. Nathiya got married to accused Damodaran on her own accord. After marriage both of them were living in Kanjikonampalayam. There was no issue between couple upto 1-1/2 months of their marriage. Thereafter accused and Nathiya consumed synthetic cow dung powder and they were admitted in the Government Hospital. This news came to the knowledge of PW.6 Chellakkuty reading newspaper. After one week treatment, Nathiya herself came to the house of Ramathal, PW.6 met Nathiya and enquired about her family life, that time Nathiya told that she did not want to live her husband, she had given a lot of torture to her. So that Nathiya decided to lodge a complaint, Nathiya was taken by PW.1 Balakrishnan to Podanur Police station and Nathiya gave complaint against accused. 2 days after the complaint Nathiya stated during enquiry "she wanted to live with her husband (accused

Dhamodharan) and she left from home of Ramathal". PW.6 Chellakkuty had visited to the home of Nathiya 4 days next before the death of Nathiya. That time Nathiya had narrated ill-treatment and rude behaviour of accused towards her stating that every day accused used to come home with drunken mood and harassed on her; cursed her that due to consumption of cow dung powder she become unbarren she was unable to bear a child and pested Nathiya to get marry to accused with Nathiya's cousin sister; he used to caught hold toughed of Nathiya and tossed her hair, pacified her PW.6 Chellakkuty stating that everything is a passing clouds in family life, it would get settle soon. Thereafter on 29.3.2014, at about 4.00 p.m he was informed by PW.1 Balakrishnan that Nathiya died. PW.6 went to house of accused and saw that Nathiya's dead body was lying full charred. In this connection he was examined by Police and R.D.O.

PW.7 Aruchamy deposed that he is residing in door No:11/5, Lokiya street, Vellalapalayam, Vellalore. PW.2 Ramathal is own sister of PW.7 Aruchamy. Ramathal's eldest daughter name is Govindammal. Govindammal was given marriage to one person who is at Kalappatti. Govindammal has only one daughter by name Nathiya. Govindammal is living with PW.2 Ramathal on 02.12.2013 Nathia's marriage took place in Periyar library. After marriage Nathiya and accused lived together in

Kanjikonampalayam. He came to know that Nathiya and her husband both of them consumed cow dung powder. After 2 months of Nathiya's marriage, she came to the Ramathal's house when she was came to the Ramathal's house 2nd time, Nathiya informed to Ramathal that she did not like to live with her husband; often he had drunk alcohol and started ill-treating Nathiya. Nathiya was not able to bear these tortures and she gave complaint before Podanur Police station stating that she was not willing to live with accused. 2 days after gave complaint, Nathiya returned to her matrimonial home. On 29.3.2014 PW.7 was informed that Nathiya committed suicide by fire due to family disputes. In this connection he was enquired by R.D.O and Police. His signature alone found in the statement given to R.D.O is marked as **ExP.3**.

PW.8 Sivaganesh deposed that he is residing in door No:10/84, in Sivananda street, Kanjikonampalayam. In the year 2014 he was working as driver in Surya Praba Cotton Mill. PW.1 Balakrishnan and PW.3 Venkatachalam are close family friends to PW.8 Sivaganesh. He is having close contact with all members in the family of PW.1 Balakrishnan. Balakrishnan's eldest sister's daughter is Nathiya. Nathiya's mother Govindammal living in her brother's house. He let out one portion of his house for running ration shop. Card holders around his area used to come that ration shop for buying rations. In this line Nathiya used to come his

ration shop. Nathiya fell in love and got married to accused on her own. Nathiya and her husband (accused) were leading happy life at the beginning of marriage. Then Nathiya and her husband had consumed synthetic cow dung powder. 5 years before, one day when PW.8 was waiting in the bus stop to board bus, he spotted Nathiya in disheavily appearance with blouse torn condition. Nathiya repented that she had committed series of mistakes and she requested to lead her to Ramathal house by PW.8 Sivaganesh. PW.8 told that already he was late to go to his workspot. Now he is in a position not to take Nathiya to the house of Ramathal. He is unable to take Nathiya to the house of Ramathal without prior intimation to the family members. PW.8 remarked that her marriage was love marriage she got married accused on her own and PW.8 left from this place to board into bus. On the same day around 4, 4.30 p.m when he was at work spot PW.8 was informed that Nathiya died. Further PW.8 desposed that except the above fact nothing stated by Nathiya to PW.8 when Nathiya met PW.8 in the morning hours.

PW.9 Nataraj deposed that he is residing in Asokmehta street in Kanjikonampalayam. He is working as Mechanic in the grinder company. He does not know accused. On 29.3.2014 at about 7.00 p.m when he was on walking on AC main road, he came to know that one lady died in that area, Police came to the place of occurrence, prepared Observation

mahazar and Rough sketch in his presence. He signed in the Observation mahazar as first in the serial. That Observation mahazar is marked as **ExP.4.**

PW.10 Mythili deposed that she is living in Vellalapalayam,Vellalore, he knows accused. Accused is husband of Nathiya. Nathiya is daughter of her sister-in-law Govindammal. Govindammal is living with Ramathal for about 20 years. Nathiya fell in love and got married accused. After couple of days disputes arose between the couple, both of them consumed cow dung powder and admitted in the Government Hospital. Nathiya had informed to Ramathal that Nathiya's husband was rude towards her and ill-treated her stating that due to consumption of cow dung powder she become unbarren and accused was assaulting Nathia unnecessarily". To that tortures, Nathia lodged complaint in Podanur Police station. Two months later Nathia committed suicide pouring kerosene herself on her body and set fire. In this connection she examined by Police and R.D.O.

PW.11 Saraswathi deposed that she is wife of Seenivasan. Seenivasan is younger brother to Govindammal. Govindammal is sister-in-law to PW.11 Saraswathy, Govindammal daughter name is Nathiya. Govindammal is not lived with her husband long back she came to PW.2

Ramathal house and she was staying in the Ramathal house. She knows accused who is husband of Nathiya. Nathiya was alive only for about 3 months after her marriage. From date of marriage Nathiya and accused together were living separately. She was not aware cordiality or otherwise between couple and she was not aware the disputes existing between the couple. One day she came to know that there was a family issue existing between couple otherwise she did not know anything about Nathiya's family life. She was not examined by Police.

PW.12 Dr.Lakshmi deposed that at present she is attached to Government Medical College and Hospital at Coimbatore, she is studying 1st year post graduation. On 29.3.2014 at about 10.35 p.m when she was on duty as Assistant Doctor in Casualty ward, Tr.Marudachalam Grade.1 Police Constable of Podanur Police station took one lady dead body by name Nathiya aged about 24 years, and gave one requisition letter submitted by S.I of Police, Podanur P.S wherein requested that dead body as to keep in mortuary. Based on requisition letter after seeing dead body she made an entry in the Accident Register and directed to keep in the mortuary. That Requisition Letter is marked as **ExP.5**. Accident Register Extract is marked as **ExP.6**.

PW.13 Dr.Gajendran deposed that now he is attached to Government Hospital, serving as Doctor at Sulur. On 12.2.2014 at 4.45 p.m when he was on duty in Casualty-ward, Coimbatore Government Hospital and College, Nathiya aged about 23 years D/o.Ramasamy and Nathiya's husband Dhamodharan aged about 29 years S/o Muthusamy were brought before him stating that on 12.2.2014 at about 3.50 p.m both of them consumed synthetic cow dung powder in their house situate nearby bye-pass road, Kanjikonampalayam. Both of them were examined and first-aid had been given. Both of them were admitted as in-patient, for further treatment. He had issued Accident Register Extract. That Accident Register Extract in connection with Nathiya and Damodharan are marked as **ExP.7 and ExP.8** respectively.

PW.14 retired R.D.O, Tr.Gunasekaran deposed that he was in a Government Service and officiated as District Revenue Officer. On 31.8.2018 he was retired from service at the time he was serving as Zonal officer in Chennai City Municipal Corporation. At present he has settled down at Madurai. When he was serving as RDO at Coimbatore, on 30.3.2014 he had received original FIR in crime No:230/2014 of Podanur Police Station and he came to know that Nathiya's dead body was lying in the mortuary in Government Medical College and Hospital, Coimbatore. At the Hospital he made an inquest in connection with her death, PW.14

had enquired with Nathiya's relatives of Balakrishnan, Aruchamy, Mythili, Saraswathi and Nathiya's husband Dhamodharan and his father Muthusamy, Mother-in-law Subbathal and Panchayathars. On enquiry it appeared that there was a strong suspicion on the death of Nathiya. He directed Police to make investigation and find truth. His Enquiry Report is marked as **ExP.9**.

PW.15 Dr. Jeyasingh deposed that now he is served as Professor in Forensic Medical Sciences attached to Government Medical College and Hospital, Coimbatore. Based on Requisition Letter given by RDO, Coimbatore in crime No:230/2014, On 31.3.2014 at 10.05 a.m., he and his Assistant Doctor Saravanapriya had conducted autopsy over the dead body of Nathiya. The following ante-mortem injuries noticed :- (1) Superficial burn injuries noticed all over body except to foot and back side of abdomen. (2) Hairs on the body was charred. (3) Base of burnt area of red in colour. All internal organs were in normal. On dissection of trachea, carbon particles noticed. Viscera, internal organs were preserved for getting Chemical Analysis Report. On perusal of Chemical Analysis Report it reveals that no poisonous substance deducted in the internal organs. He finally opined that Nathiya would appear to have died on burn injuries. In this connection he was examined by Police. Requisition letter received from R.D.O is marked as **ExP.10**. Post-mortem Report is marked

as **ExP.11**. Chemical Analysis Report is marked as **ExP.12**. Final opinion is marked as **ExP.13**.

PW.16 Pappathi, Woman PC 1193 deposed that at present she is working in Traffic Police Station as Head constable. When she was working in Podanur Police Station, she was directed to go to place of occurrence and to hand over the dead body to the Doctor of Government Hospital for conducting autopsy. In pursuance of this direction, **PW.16** Pappathi and Grade-I PC Marudachalam were went to place of occurrence. They found that Nathiya had dead in sitting posture at bath room. When both of them were reached place of occurrence, they had seen Assistant Commissioner of Police, Podanur Sub-Division. In accordance with the Requisition Letter received from R.D.O she had handed over the dead body of Nathiya to Government Hospital for getting this body in mortuary. That Requisition Letter is marked as **ExP.14**. Another letter **PW.16** Pappathi was directed to carry the internal organs of Nathiya for for getting Viscera Report from Government Hospital to Regional Forensic Sciences Laboratory for getting Chemical Analysis Report. That direction was complied with Requisition Letter is marked as **ExP.15**. In this connection she was examined by Assistant Commissioner of Police.

PW.17 Gnanasekaran, Sub-Inspector of Police deposed that at present he is officiating as Sub-Inspector of Police in Coimbatore City Crime Branch attached with Coimbatore City Police. On 12.2.2014, when he was serving as Sub-Inspector of Police in Podanur Police station, he received a message from Coimbatore Medical College and Hospital stating that Nathiya and her husband Dhamodharan were consumed cow dung powder. On information he rushed-up to Government Hospital and met the above 2 persons. On enquiry he came to know that Dhamodharan's younger sister had eloped with one man got married. This behavior was unable to digest by Dhamodharan. So, that couple decided to drink synthetic cow dung solution and they executed their plan. So case was registered u/Sec.174 of Cr.P.C and altered to Section 306 of I.P.C in crime No:230/2014. This factum had been entered into General Diary of Police station. Thereafter, on 25.2.2014 the same Nathiya had appeared before him and lodged complaint stating that her husband used to come to house with heavily drunk alcohol and picked-up quarrel with Nathiya unnecessarily. That Complaint copy is marked as **ExP.16**. On perusing this complaint **PW.17** Gnanasekaran, Sub-Inspector of Police has assigned CSR No:44/2014. That CSR receipts are marked as **ExP.17**. Then **PW.17** Gnansekarán held an enquiry and he came to know that Nathiya was not willing to live with her husband. Since their dispute is relating to family

life, she wanted to settle this issue in the presence of family elders and through Court of Law, She wanted to go along with her maternal grand mother Ramathal PW.2. She herself scribed a Statement to Dhamodharan. That copy of Written Statement of Nathiya is going with her Grand Mother is marked as **ExP.18**. Then she went to PW.2 Ramathal house. After 2 days of this enquiry, on 27.2.2014 Nathiya came along with her Maternal uncle Balakrishnan and stated that she wanted to go and live with her husband Dhamodharan, she will not disturb her Maternal aunt and Maternal grand mother Ramathal. She herself had scribed one Statement. That copy of Statement of Nathiya is marked as **ExP.19**. She had prepared another statement on behalf of her husband Dhamodharan. Dhamodharan signed in this statement. That copy of Written Statement of Dhamodharan is marked as **ExP.20**. PW.1 Balakrishnan had also submitted his statement in this case since compromise reached between couple that enquiry was dropped. One month after this incident, Nathiya was abeted to commit suicide. Then one case was registered for this suicidal attempt. **Exhibits P.16 to 20** are marked with objection of defence Counsel. The Xerox Copy of Docket sheet pertaining to CSR No:44/2014 is marked as **ExP.21** with defence side objection. PW.17 Gnanasekaran was enquired by Assistant Commissioner of Police and Inspector of Police, Podanur for this case.

PW.18 Krishnaleela deposed that at present she is serving as Inspector of Police in Coimbatore Railway Police Station. On 29.3.2014, when she was in-charge of Podanar (Law and Order) Police Station as Sub-Inspector of Police, at 5.00 p.m PW.1 Balakrishnan came and lodged a complaint with regard to death of Nathiya. After perusing that complaint PW.18 had registered the case in Crime No:230/2014, u/Sec.174 of Cr.P.C. That FIR is marked as **ExP.22**. Deceased person (Nathiya) died within 7 years of her marriage, PW.18 had submitted the copy of FIR to Assistant Commissioner, South Division, Coimbatore and original FIR was submitted to RDO for necessary action. She deputed a Grade-I Woman Police Constable Tmt.Pappathi and one Grade-I Male Police Constable Tr. Marudachalam to take dead body from place of occurrence and she directed them to keep the dead body in the mortuary. Then she was submitted one Requisition letter to RDO for making inquest over the dead body.

PW.19 Tr. Ramachandran, retired DSP deposed that at present he is retired from Tamilnadu Police Department. At last he held the post of Assistant Commissioner of Police. In the year-2014, when he was officiating as Assistant Commissioner of Police in South Zone of Coimbatore City Police, On 29.3.2014 he had received FIR from Sub-Inspector of Police, Krishnaleela in connection with crime No:230/2014

for the offence u/Sec.174 of Cr.P.C at 5.45 p.m. He had taken this case for investigation and visited crime site, prepared Observation mahazar and Rough sketch in the presence of witnesses Natarajan and Ganesan. Observation mahazar is already marked as ExpP.4. Rough sketch is marked as **ExpP.23**. In this case, he had enquired witnesses Balakrishnan, Muthusamy konar, Sasikala, Natarajan, and Ganesan and their statements were reduced into writing. Woman PC Tmt. Pappathi and Male PC Marudachalam were sent to Government Hospital to make arrangement to be kept the dead body in the mortuary at Coimbatore Medical College Hospital and on 17.6.2014, PW.19 had received Inquest Report from RDO, Coimbatore. On investigation, he found that Nathiya committed suicide, by the abusement of accused, then she died, the Section altered from 174 of Cr.P.C to 306 of I.P.C. That Section Alteration Report was sent to the learned Judicial Magistrate No.VII,Coimbatore. That Section Alteration Report is marked as **ExpP.24**. Since this case has to be investigated by Inspector of Police, he had forwarded the Case Diary to the Inspector of Police, for further investigation.

PW.20 Inspector of Police, Tr. Sakthivel deposed that now he is officiating as Inspector in Sedubaba chathiram within the limit of Pattukottai Sub-Division. Since 18.6.2014 when he was serving as Inspector of Police in Podanur Police Station in crime No.230/2014

Section Alteration Report made by Assistant Commissioner of Police Tr. Ramachandran. Section was altered from 174 of Cr.P.C to 306 of I.P.C., and the Assistant Commissioner of Police Tr.Ramachandran had prepared Rough sketch and Obsevation mahazar and he got Enquiry Report from Revenue Divisional Officer, then the case file was handedover to him for further investigation, PW.20 Tr.Sakthivel met the witnesses Balakrishnan, Ramathal, Seenivasan, Parvathi, Venkatachalam, and Chellakkutty and their statements were reduced into writing. On 5.7.2014 at 10.00 a.m he arrested the accused Dhamodharan in Vellalore Kanjikonampalayam bus stop and he sent the accused to judicial custody. On 15.7.2014 he met Doctor Saravanapriya, who did autopsy on the body of Nathiya and he obtained Postmortem Report from Dr.Saravanapirya, then he enquired Sub-Inspector of Police Tmt.Krishnaleela and the Police officials of Tr. Maruthachalam, and Tmt.Pappathi and on the same day he met Doctor Gajendran and recorded his statement u/s.161 Cr.P.C. Prior to this incident deceased Nathiya gave one complaint before Podanur, Police station, in which C.S.R No.44/2014, had been given by Sub-Inspector of Police Tr.Gnanasekaran then he enquired Doctor Lakshmi and her statement reduced into writing and on 30.11.2014 he got Final Opinion of Doctor Saravanapriya and he met and enquired Head of Department in Medico Legal Section Doctor Tr. Jaisingh and his statement was reduced into

writing on same day, after completion of his investigation he laid Final Report against accused for the offence punishable u/ss.498(A) and 306 I.P.C. Prosecution has closed its oral evidence with PW.20

(8) U/section 313(i)(b) of Cr.P.C, all incriminating circumstances appearing against accused compiled as questionaries, then question has been asked at accused, and he replied that false case foisted upon him, Nathiya was admitted in St.Mary's Hospital situate in Podanur as inpatient for her psychological problem, next day, from date of discharge she died and he wants to examine witnesses on his side.

Following his reply Doctor Rani Agnes has been examined as DW.1 who deposed that she is serving as Medical Superintendent in St.Mary's Hospital, Podanur for over 10 years, since 25.3.2014 one Nathiya W/o Damodharan residing at door No.610,Kambar street, Kanjikonampalayam, Vellalore was brought to Hospital.That patient was treated as inpatient in her Hospital, Discharge summary pertaining to Nathiya is marked as Exh.D1. Blood Test Report of Nathiya is marked as Exh.D2, and Ultra Sound Scan Report of Nathiya along with image is marked as Exh.D3. As per Exh.D1 document, Nathiya was staying in the above Hospital from 25.3.2014 to 28.3.2014. She was admitted for stomach abdomen pain, and she stated that one month before she drunk

cow dung powder. In Exh.D1 stated that Nathiya was suffered from moderate depressive episode with somatic symptoms, Nathiya was treated by one Pshychiatric Doctor by name Tr.Sathish, DW.1 came to know that now that Doctor Tr.Sathish is in Foreign Country, the moderate depressive episode with somatic symptoms would denote psychological problem in Medical Jurisprudence Book Author Tr.Jaisingh Modi stated that moderate depressive episode and somatic symptom is a disease, which would stimulate the patient to commit suicide.

Defence side closed its oral evidence with D.W.1 along with documents marked as Exhibits D.1 to D.3. On 14.6.2022 the learned defence Counsel has endorsed that defence side has closed their evidence with D.W.1.

(9) Both side arguments heard.

Whether the Prosecution has proved its case beyond all reasonable doubt?. It is only point we have to determine in this case.

SUBMISSIONS OF LEARNED SPECIAL PUBLIC PROSECUTOR IS AS FOLLOWS:-

The learned Special Public Prosecutor has contended that Nathiya was brought-up in her maternal grand mother Ramathal house, her mother was deserted by her husband, when Nathiya was in a childhood. Without consent of family elders of Nathiya, she eloped with accused

Damodharan on 2.12.2013 Nathiya got married accused Damodharan, within couple of months Nathiya's sister-in-law though she was married, she eloped with some other guy and got married. So that accused Damodharan felt that his family good name diminished by his sister's act. So he decided to commit suicide and he invited the Nathiya to commit suicide. Nathiya conceded to her husband dangerous decision. On 12.2.2014 Nathiya and Dhamodharan portioned cow dung powder and admitted in Government Hospital, Coimbatore, fortunately both lives were saved. Thereafter, Nathiya was subjected to physical and mental cruelty, often Dhamodharan had scolded at Nathiya stating that due to consumption of cow dung powder she became barren, she was not able to give birth child, so he scolded at Nathiya, since he become barren she has to arrange 2nd marriage with Nathiya's chithi's daughter. Dhamodharan is a driver by trade, he used to drink alcohol, often he would come to house inebriated mood and he poured water on the eatables when Nathiya is eating food. These kind of tortures could not be put-up by Nathiya and she decided to leave from her matrimonial home and she gave complaint before Podanur Police station. CSR No.44/2014 was assigned to the complaint made by Nathiya, after enquiry Nathiya went back to her husband home, Prosecution Witnesses 1 to 7, 10, 11 are maternal uncles' and auntys' and maternal grand mother of Nathiya, though they are close relatives to

deceased Nathiya, their evidences are crystal clear as to cruelty committed by accused Dhamodharan, their evidences have to consider by this Court, since Nathiya died committing suicide within 7 years of her marriage, in parallel investigation D.R.O PW.14 Gunasekaran made enquiry and came to conclusion that there was doubt in the death of Nathiya, that Enquiry Report of R.D.O is marked as Exh.P9. In the enquiry Report PW.14 Gunasekaran R.D.O had clearly stated that without struggling Nathiya lying inside the bath room and fully charred in fire is unbelievable and there is strong suspicion in the death of Nathiya that has to be found out. Further, DW.1 Dr.Rani Agnes, did not meet Nathiya and she had not examined Nathiya medically, based on record she gives evidence. That evidence has to be eschewed by this Court. In Exh.D1 Psychiatric Doctor Tr. Sathish did not advise her for further treatment. Moderate depressive episode with somatic symptoms will not stimulate patient to commit suicide, defense side wanted to magnify the small health issue of Nathiya in order to escape the accused Dhamodharan from clutches of law. From date of marriage, till date of death of Nathiya nearly 3-1/2 months, she was subjected to physical and mental cruelty. Since this deceased Nathiya was harassed by accused Dhamodharan in drunken mood, Since Nathiya marriage is love and inter-caste marriage. Her only hope is her husband accused Dhamodharan. She lost her hope by cruelty committed by accused

Dhamodharan. Nathiya was propelled to commit suicide setting fire. Further, learned Special Public Prosecutor has contended that mental illness is differed from mental depression. In the instant case, documents exhibited as if deceased was in moderate depression. It is not acute. So the learned Special Public Prosecutor has prayed to convict the accused.

PLEAS OF DEFENCE COUNSEL FOR ACCUSED :-

(10) To opposite this contention the learned defence Counsel for accused has contended that there is no doubt accused marriage with deceased Nathiya is inter-caste marriage, Nathiya is belonged to Konguvellalar community and accused is belonged to konar community. Konguvellalar community is a dominated caste in Kongu Region. PW.1 to 7 uniformly deposed that due to love marriage of Nathiya, all of them were out of touch with Nathiya till 25.2.2014, Nathiya did not visit to her maternal grand mother Ramathal house. As like eventhough Nathiya consumed cow dung powder and admitted in Government Hospital, nobody from her family come forward to visit Nathiya's matrimonial home. Since Nathiya was brought-up by maternal grand mother Ramathal. All maternal uncle did not care and give proper love and affection to Nathiya. Nathiya's mother Govindammal is also suffered by some psychological problem. That fact is admitted by Prosecution Witnesses. As like Govindammal, Nathiya is also suffered by psychological problem

namely moderate depressive episode with somatic symptom. Due to this psychological problem she used to talk loudly and laugh loudly herself. This factum stated by Nathiya's in-laws before R.D.O in Exh.P.9. One day before next to the death of Nathiya, she was discharged from St.Mary's Hospital situate at Podanur, this factum is proved through DW.1 evidence. Further, in Written Complaint lodged by PW.1 Balakrishnan did not say anything about cruelty and other relevant facts. Eventhough he stated about previous complaint dated 25.2.2014 lodged by Nathiya before Podanur Police station. On 30.3.2014 family members of Nathiya gave statement before R.D.O stating that Nathiya's husband wanted to give birth child by Nathiya. Then Police had developed this case and filed belated Sec.161 Cr.P.C statement adding imaginary facts as Nathiya became barren and accused Dhamodharan compelled Nathiya to make arrangement for 2nd marriage with Nathiya's chithi's daughter. This statement developed to some extent by PW.1 to 7, 10, 11 in their chief-examinations. In Inquest Report Exh.P9 all Panchayatars are uniformly and cogently stated that Nathiya and Dhamodharan were leading their family life happily, on occurrence day in morning hours Nathiya and Dhamodharan was going on two-wheeler. While, that being so, Nathiya was subjected to mental and physical cruelty, accused Dhamodharan abetted Nathiya to commit suicide is nothing but it is a purely imaginary

story, invented by Nathiya's family members to bring the accused to the home of guilt. Nathiya was brought by maternal grand mother Ramathal, she did not get parents love and affection, she was abandoned by her father and mother was not mentally fit to bring-up Nathiya. Though 4 maternal uncles' and auntys' are residing around Nathiya's maternal grand mother house, nobody ready to take care Nathiya. In these circumstances, from child hood she was mentally suffered a lot and she was in mental depression. She was not a normal lady, moderate depressive episode with somatic symptom stimulated her to commit suicide, if this Court has read Statement given by PW.1 to 7 before R.D.O it would show that Nathiya's family members were in fit of anger and they were very particular to drive the accused before Court of Law and put him behind bar and all the family members of Nathiya gave statement before R.D.O alleging that Nathiya could have murdered by accused Dhamodharan and his brother, sister and parents. These circumstances evinces that Nathiya's family members wanted to lodge accused and his whole family in the jail. None of the neighbours of accused house is added in the witness list. PW.1 to 7, 10, 11 are close relatives to deceased Nathiya to wreck vengeance against accused and disliked inter-caste marriage of accused, they gave false evidence that may be set apart from Court consideration.

Further, learned defence Counsel has contended that Exh.P.1 is not

first information. In cross, PW.1 admits that when he go to occurrence place, Police were presented and enquired. PW.1's all elder brother were also reached before arrival of PW.1 to occurrence place, Then PW.1 came to Station House and lodged complaint to Sub-Inspector Tmt.Krishnaleela. Per contra, accused Dhamodharan's father Muthusamy gave statement in Exh.P.9 before R.D.O that on seeing charred dead body of Nathiya, he informed to his Dhamodharan, his Son come and closed dead body with blanket and carried Nathiya from bath room and informed to Police station. So first information was given by accused Dhamodharan not PW.1. Though Exh.P.1 is signed by PW.1 Balakrishnan. It should be viewed as Sec.161(3) Cr.P.C statement not treat as complaint. Further, in Exh.P.16 Complaint dated 25.2.2014 given by Nathiya in C.S.R No.44/2014, she stated as follows:-

"கடந்த 2 வாரமாக அவர் தங்கை காதல் திருமணம் செய்துகொண்டதால் அவரின் மனோநிலையில் மாற்றம் ஏற்பட்டது, அதனால் எங்கள் இருவருக்கும் கருத்து வேறுபாடு ஏற்பட்டது. அவரின் நடவடிக்கை எனக்கு பிடிக்கவில்லை."

Further, In Exh.P.1 complaint, nothing stated about so called cruelty deposed by PW.1 to PW.7 and PW.10 and PW.11 before this Court. Exh.P.1 complaint is earlier document. There is no clue, hint or no narration as to cruelty. After consumption of cow dung powder Nathiya became barren, accused compelled her to negotiate for his second

marriage with Nathiya's chithi's daughter is concocted story and there is no evidentiary value.

Above all, PW.19 Tr.Gnanasekaran admits in the cross-examination that in his investigation in CSR No.44/2014, he perceived that Nathiya was having character to go extent to commit suicide even for small domestic disputes. Further, PW.1 to PW.7 and PW.10, PW.11 did not depose about cause of death. They just depose evidence as if Nathiya was subjected to physical and mental cruelty. Section 498(A) I.P.C was not added in the Section Alteration Report, while lying Final Report, PW.20 Tr. Sakthivel, Inspector of Police had added Section 498(A) I.P.C without any base. Further, PW.8 Tr. Sivaganesh depose that one day he was waiting in the bus stop to go to work spot, Nathiya came with dis-heaved appearance and requested to lead her to Ramathal house.

PW.8 Tr. Sivaganesh was examined 15 days after occurrence by Investigation officer. PW.8 did not say anything about so called cruelty said to have been committed by accused. His evidence would not be useful to Prosecution case. Further, he has contended that Dr.Rani Agnes is Independent Witness. On summon, she is procured on the side of Prosecution. Her evidence shows that deceased was affected by moderate depressive episode with somatic symptom. That apart, Dr.Jaisingh Modi in his book, he scribed that mental depression will stimulate patient to

commit murder or suicide. That intention would come and push the patient to commit suicide at any time.

Further, learned defence Counsel has contended that u/Sec.113(A) of Indian Evidence Act, Court can presume fact relating to cruelty, if Women died within seven years of her marriage, that presumption is rebuttal one. Nathiya died due to psychological issue is proved through DW.1. So that, PW.1 to PW.7 and PW.10 and PW.11 evidence are not reliable, even we assume for sake of argument that PW.1 to PW.7 and PW.10, PW.11 evidences could be accepted. That evidence is rebutted by DW.1 evidence. Ultimately, he prays for acquitting accused from this case.

POINTS for DETERMINATION :-

(11) On evaluation of evidence on record it reveals that case of the prosecution is that deceased Nathiya was subjected to cruelty by accused Dhamodharan on 29.3.2014, accused Dhamodharan abated Nathiya to commit suicide. Prior to that occurrence, often Dhamodharan came to house in drunken mood and used to pour water on the food of Nathiya and he wanted to get married Nathiya's chithi's daughter and he caught hold thought of Nathiya, this harassment or cruelty committed by accused Dhamodharan could not be put-up by Nathiya, so that on 25.2.2014 she had lodged complaint against her husband on 27.2.2014 she

was taken back by accused Dhamodharan to his home, within one month Nathiya died setting fire on her body. But learned defence Counsel has contended that Nathiya died on 29.3.2014 she was admitted in St.Mary's Hospital and she was inpatient for 3 days (from 25.3.2014 to 25.3.2014). During treatment her mental depression found-out by Psychiatric Doctor Tr. Sathish and drugs had been given to releave from this psychological ailment. To find out truth, this Court has carefully perused evidence on record. Looking evidence of PW.1 to 7 10,11 they are all close relatives of Nathiya. They themself developed story, as contended by defence Counsel, if accused Dhamodharan has pested to get married chithis' daughter, whose chithi's daughter wanted to get married by Dhamodharan, That fact could have collected by Investigation officer. Further, evidence evinces that Nathiya's mother Govindammal was deserted by her husband and she was taken to grand mother PW.2 Ramathal house, Nathiya and Govindammal was under the care of PW.2 Ramathal. Due to head injury Nathiya's mother Govindammal was psychologically affected, she was not in good mental condition. Though Nathiya had 4 maternal uncle namely PW.1 Balakrishnan, PW.3 Venkatachalam, PW.5 Seenivasan, PW.6 Chellakkutty. At the time of occurrence, except PW.1 Balakrishnan all were got married and they were living in their separate house. After Nathiya's marriage never they visited Nathiya's matrimonial home because Nathiya got

married Dhamodharan on her own accord without getting consent of maternal uncle of Nathiya, this love marriage was disliked and Nathiya was out of touch in her family. Though Nathiya consumed yellow cow dung powder PW.1 to 6 and 10,11 came to know this poison consumption of Nathiya, nobody visited Nathiya's matrimonial home to look her. On careful perusal of Ex.P18 (Nathiya's statement given in relation to C.S.R No.44/2014 before Podanur Police station. Nathiya gave statement stated on 25.2.2014 stating that எனது பாட்டி வீட்டிற்குச் சென்று வாழ்ந்து கொள்கிறேன். But within 2 days after this statement in Ex.P.19 she stated that "பாட்டி வீட்டிற்குச் சென்றேன், அங்கு இருக்கப் பிடிக்கவில்லை". From this evidence we can presume that Nathiya was psychologically affected in her grand mother house, Nathiya was being brought-up with psychological problem though Nathiya was under care and custody of mother Govindammal due to Govindammal's psychological problem Nathiya was not properly brought-up giving due love and affection.

(12) As stated above, all maternal uncles' and auntys' are lived in their separate house, they failed to give love and affection on Nathiya, Nathiya's psychological issue should have nibbled in budding stage by PW.1 to PW.7 But they did not do so that she could have decided to marry accused Dhamodharan in the family life. At the time of marriage, Nathiya was in mental depression. Due to the existing psychological disease her

behaviour and attitude being changed time to time. In Ex.P.9 Enquiry Report given by R.D.O Tr.Gnanasekaran it reveals that all panchayathars stated before R.D.O that on 29.3.2014 at about 7.30 a.m they spotted Nathiya and Dhamodharan as both of them were riding on two wheeler, at the same time PW.8 Tr.Sivaganesh stated that when he was standing in bus stop for boarding town bus, Nathiya came in a disheaved appearance and requested to Sivaganesh to take her to PW.1 house. From this evidence, this Court feels that Nathiya's mind is not in constant, she was affected by moderate depressive episode with somatic symptoms. Due to this psychological problem her behaviour was being changed time to time. On the other hand, as contended by learned defence Counsel, PW.1 to 7, 10, 11 are not trustworthy witnesses their statement could not be believed by this Court. PW.4 Parvathi, PW.11 Saraswathi evidences show that they did not know Nathiya's matrimonial life fully. PW.6 Chellakkutty deposed that he visited Nathiya's home 4 days next before occurrence day along with his elder brother PW.5 Seenivasan and he came to know the cruelty committed by accused Dhamodharan through Nathiya. But PW.5 Seenivasan has turned hostile, he deposed that Nathiya gave complaint against his family members and they came to Police station and gave a statement. From this contradictory evidence, this Court presumes that, all the family members of Nathiya failed to give care to Nathiya, in the absence of love and

affection Nathiya was psychologically affected in her childhood, so she was not able to react in the society in proper manner, could not approach each and every domestic issue in her family life. She was always ready to end her life for trivial matter. Though mother Govindammal is living with Nathiya due to her psychological problem, she could not mould her child in proper way.

(13) On perusal of Exhibits P.8 Accident Register Extract and Exh.P.9 Enquiry Report of R.D.O reveals that some external fact stimulated Nathiya to commit suicide. Committing suicide intention was always lingering in the mind of Nathiya, that's why she decided to end her life along with her husband Dhamodharan. In spite of treatment as shown in Ex.D.1 Discharge summary of Nathiya, she could not relieve from the psychological problem, so she could have committed suicide. Nothing whisper to believe that accused harassed deceased Nathiya and he abetted to commit suicide pouring kerosene and set fire on her. In the absence of evidence, Court cannot award conviction to accused.

Looking this case from all angle, this Court holds that Prosecution has failed to prove accused committed physical and mental cruelty against deceased Nathiya and to prove positive or direct act of

accused to the Nathiya's suicide. Under these circumstances this Court holds that Prosecution does not prove this case beyond all reasonable doubt.

In the result, this Court finds that the accused found not guilty for the offence punishable under Sections 498(A) and 306 of I.P.C. and acquitted him under/Sec.235(1) of Cr.P.C., and he is set at liberty.

Exhibits and Property Order

- (i) Exh.P1 to P24 and Exh.D1 to D3 shall form part of the case records.
- (ii) Since, no material object is marked in this case. Situation does not arise to pass order as to property disposal.

Dictated to the Steno-typist, transcribed and typed by her, and corrected and pronounced by me, in open Court, this the Day of 16th JUNE - 2022.

Sessions Judge,
Mahaleer Neethimandram,
(Mahila Court),
Coimbatore.

LIST OF WITNESSES EXAMINED ON PROSECUTION SIDE :-

P.W. 1	Tr. Balakrishnan – Defacto complainant
P.W. 2	Tmt.Ramathal – Grand-Mother of Deceased
P.W. 3	Tr. Venkatachalam – Maternal uncle of deceased
P.W. 4	Tmt.Parvathi – Wife of PW.3
P.W. 5	Tr. Seenivasan, – Maternal uncle of deceased
P.W. 6	Tr. Chellakkutty, – Maternal uncle of deceased

P.W. 7	Tr. Aruchamy	– Grand mother's brother of deceased
P.W. 8	Tr. Sivaganesh	– Independent witness
P.W.9	Tr. Nataraj	– Attestor in the Observation mahzar
P.W.10	Tmt. Mythili	– Wife of PW.6
P.W.11	Tmt. Saraswathi	– Wife of PW.5
P.W.12	Tmt. Lakshmi,	– Doctor
P.W.13	Tr. Gajendran,	– Doctor
P.W.14	Tr. Gunasekara,	– Revenue Divisional Officer
P.W.15	Tr. Jayasingh,	– Doctor
P.W.16	Tmt. Pappathi	– Grade-I W.P.C
P.W.17	Tr. S.Gnanasekaran,	– Sub-Inspector of Police
P.W.18	Tr.K.Krishnaleela,	– Sub-Inspector of Police
P.W.19	Tr.Ramachandran,	– Assistant Commissioner of Police
P.W.20	Tr.Sakthivel,	– Inspector of Police

LIST OF EXHIBITS MARKED ON PROSECUTION SIDE :-

Ex.P .1	29.3.2014	Written complaint lodged by PW.1
Ex.P .2	30.3.2014	Signature of PW.1 found in Statement given before Revenue Divisional Officer
Ex.P .3	30.3.2014	Signature of PW.7 found in Statement given before R.D.O
Ex.P .4	29.3.2014	Observation Mahazar
Ex.P .5	29.3.2014	Requisition Letter Copy given by PW.18 Sub-Inspector of Police
Ex.P .6	29.3.2014	Accident Register Extract of deceased Nathiya
Ex.P .7	12.2.2014	Accident Register Extract of Accused Dhamodharan in relation to C.S.R No.44/2014 of Podanur P.S
Ex.P .8	12.2.2014	Accident Register Extract of deceased Nathiya in relation to C.S.R No.44/2014 of Podanur P.S
Ex.P. 9	30.3.2014	R.D.O's Enquiry Report
Ex.P .10	30.3.2014	Requisition letter of R.D.O to PW.15 for conducting Postmortem

Ex.P .11	31.3.2014	Postmortem Certificate issued by PW.15
Ex.P .12	30.4.2014	Chemical Analysis Report
Ex.P .13	31.4.2014	Final Opinion Copy
Ex.P .14	30.3.2014	Report of R.D.O forwarded with dead body
Ex.P .15	30.3.2014	Requisition letter of R.D.O sent to Regional Forensic Sciences Laboratory,Coimbatore.
Ex.P .16	25.2.2014	Copy of Complaint lodged by Nathiya before Podanur Police station
Ex.P .17	25.2.2014	Copy of CSR No:44/2014 in relation to Exh.P 16 Complaint
Ex.P .18	25.2.2014	Copy of Written statement of Nathiya given to S.I of Police, Podanur P.S
Ex.P .19	27.2.2014	Copy of Written Statement of Nathiya given to S.I of Police, Podanur
Ex.P .20	27.2.2014	Copy of Written Statement of Dhamodharan given to S.I of Police, Podanur
Ex.P .21	27.2.2014	Docket sheet copy in relation to CSR No.44/2014 dated:12.2.2014 of Podanur P.S
Ex.P .22	29.3.2014	First Information Report
Ex.P .23	29.3.2014	Rough sketch
Ex.P .24	24.6.2014	Section Alteration Report

WITNESSES EXAMINED ON THE DEFENCE SIDE :-

D.W-1 Dr. Rani Agnes, Medical Superintendent of St.Mary's Hospital, Podanur

EXHIBITS MARKED ON THE DEFENCE SIDE :-

Ex.D 1	25.3.2014 to 28.3.2014	Discharge Summary issued by St.Mary's Hospital, Podanur to Nathiya
Ex.D 2	26.3.2014	Blood Test Report
Ex.D 3	26.3.2014	Ultra Sound Scan Report

MATERIAL OBEJCT MARKED:- NIL

NOTE :-

1. The accused is in bail during the time of trial.
2. Witnesses were not retained above three days.
3. Slip proceedings issued to the Police.
4. Accused not found guilty for the above charges and acquitted him under/Sec.235(1) of Cr.P.C., and he is set at liberty.
5. No Material object marked in this case.

Sessions Judge,
Mahaleer Neethimandram,
(Mahila Court),
Coimbatore.