

IN THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE,
PERAMBALUR, TAMIL NADU STATE.

Present: Dr.L.S.Sathiyamurthy, M.A., M.L., Ph.D.,
Principal District & Sessions Judge, Perambalur.

Tuesday, this the 28th day of July, 2026.

Sessions Case No.30/2025
(CNR No.TNPB01-001423-2025)

(Committed to the Principal District and Sessions Court,
Perambalur by the Judicial Magistrate Court No.I, Perambalur by
its order
in
PRC No.22/2024, dated 28.04.2025)
(Perambalur Police Station, Crime No.118/2024)

Complainant : The Inspector of Police,
Perambalur Police Station.

Name of the accused : Kamalahasan @Kodikamal, (A1)
Charges framed against the: U/S. 392 r/w 397 and 506(ii) of IPC.
accused persons

Plea of the accused per-: Not guilty.
sons

Finding of the Court : Not guilty.

Sentence or Order : In the result, this court is holding that the charges
framed against accused U/S. 392 r/w 397 and
506(ii) of IPC are not proved by the prosecution
beyond all reasonable doubts and the accused is
entitled to the benefits of doubts. Consequently, the
accused is acquitted from the above said charges
U/s. 235(1) of Cr.P.C.

The bail bond executed by him, if any stands
cancelled.

The property remanded in R.P.No.5/2026 –
M.O.1 Cash Rs.5,000/- is ordered to be

confiscated to the State and M.O.2 Knife is ordered to be destroyed after the appeal time is over.

Details of Case Summary

Sl.Nos.	Particulars
1. Name of the Police Station and crime number of the offence	Perambalur Police Station Crime No.118/2024
2. Name of the accused	Kamalahasan (Kodikamal) (A1)
Father Name of the accused	Annadurai
Occupation of the accused	Driver – Lorry
Residence of the accused	No.115, North Street, Kalpadi Village, Perambalur Taluk & District.
Age of the accused	29/2024
3. Date of occurrence	12.02.2024
4. Date of Complaint	12.02.2024
5. The Period of remand of the accused	12.02.2024 to 28.05.2024.
6. The date of committal of the case	10.06.2025
7. The date of Questioning of the accused U/S.228 of Cr.P.C.	29.08.2025
8. Date of examination of the accused U/S.313(1)(b) of Cr.P.C.	24.07.2026.
9. Commencement of Trial	06.10.2025
10. Close of Trial	22.07.2026
11. Sentence or Order	28.07.2026
12. Criminal Miscellaneous petitions filed by the accused persons	<u>Petitions u/S.151 of Cr.PC :</u> <u>M.P.No.1/2025, 19.06.2025.</u> <u>Petition u/S.167(2) Cr.PC :</u> <u>M.P.No.2/2025, 19.06.2025.</u> <u>Petitions u/S.70(2) Cr.PC :</u> <u>M.P.No.3/2025, 19.06.2025.</u> <u>Petition u/S.317 Cr.PC :</u> <u>M.P.No.4/2025,06.10.2025.</u>

Date of examination in chief and cross examination of a witness:-

Name of the witnesses	Date of chief examination of witnesses	Date of cross examination of witnesses
Pw1 Ramaraj	10.02.2026	10.02.2026
Pw2 Sathish	10.02.2026	10.02.2026
Pw3 Ramakrishnan	10.02.2026	10.02.2026
Pw4 Sivanesan	10.02.2026	10.02.2026
Pw5 Duraisamy	07.04.2026	07.04.2026
Pw6 SathikBatsa	07.04.2026	07.04.2026
Pw7 Krishnamoorthi	16.06.2026	16.06.2026
Pw8 Karunakaran	22.07.2026	22.07.2026

S.C. No. 30 /2025

State through the Inspector of Police,
Perambalur P.S.
in Cr.No.118/2024)

... Complainant.

/Vs/

Kamalakhasan @ Kodikamal, aged 29/2024, (A1)
S/o. Annadurai.

...Accused.

This case came up for final hearing on 24.07.2026 in the presence of Thiru.C.Alandurai, Public Prosecutor for the District on behalf of State and Thiruvalargal.A.Karthick and P.Ramkumar, counsel for the accused and upon hearing both sides arguments, perusing the case records, evidence, documents and the case having stood over for consideration till this date, this Court delivered the following,

JUDGMENT

1. This is a case registered for the offences punishable under Section 392 r/w.397 and 506(ii) of IPC. Originally the final report was filed against two accused persons. One Ilaiyaraaja A2 in this case died on 07.11.2024 (as

mentioned in the Para 5 of the committal order dated 28.04.2025). As he died prior to framing of charges the final report is not survived against him. The sole surviving accused Kamalahasan @ Kodikamal faced the trial of this case.

THE CASE OF THE PROSECUTION AS SET OUT IN THE FINAL REPORT IS AS FOLLOWS:

2. One Ramaraj was working as a cashier in the government run Tasmac Bar in the Siruvachur, Perambalur District. He used to stay in the bar itself, after completion of the regular works. As usual, he along with his friend one Sathish after the works stayed in the Bar itself on the night of 11.02.2024. Next day morning at about 6.00 a.m. when this said Ramaraj was attending his regular works, one Kamalahassan @ Kodi Kamal and Ilaiyaraaja came there and asked him to give them 10 bottles of liquor. But, he politely declined as they cannot be given to anyone. Immediately, Ilaiyaraaja demanded money to purchase the liquor from outside. Again, this said Ramaraj replied to them that there is no money or cash available with him to pay for the purchase of liquor. Immediately, both of them got angry and Kodi Kamal took a knife hidden in waist and put it on the stomach of the said Ramaraj and asked him to took the money from the pant pocket. Ilaiyaraaja caught the hands of the Ramaraj and taken away from the Rs.5,000/- pocket of Ramaraj. Immediately, Ramaraj raised hue and cry and bypassers near by came to rescue him. But, both the accused persons soughed showing the knife and threatened everyone. Therefore, Ramaraj went to the Padalur Police Station lodged a complaint. After investigation a final report U/s.173(2) of Cr.P.C filed against both the accused persons herein.

3. On being satisfied with prima facie case made out against accused by

taking cognizance of the offences, the learned Judicial Magistrate No.I, Perambalur has assigned a PRC No.22/2024. After complying with Section 207 Cr.P.C furnished the copies of the final report to the accused. Originally the final report was filed against two accused persons. One Ilaiyaraaja A2 in this case died on 07.11.2024 (as mentioned in the Para 5 of the committal order dated 28.04.2025). As he died prior to framing of charges the final report is not survived against him. The sole surviving accused Kamalahasan @ Kodikamal faced the trial of this case.

4. As the case is exclusively triable by the Court of Session, committed it to the District Court, Perambalur. The case was taken on file and assigned S.C.No. 30/2025.

5. On appearance of the accused and on engaging a counsel of his choice, heard the learned public prosecutor and the learned counsel for the A1, charge is framed against the A1 U/s.392 r/w.397 and 506(ii) of IPC, when the contents of the charge was read over and explained to the accused, denied the same and claimed to be tried.

THE BRIEF SUMMARY OF THE EVIDENCE ADDUCED BY THE PROSECUTION:

6. There are 8 witnesses examined and 11 exhibits and 2 material objects marked on the side of the prosecution. The accused (A1) has not produced any evidence.

7. The defacto complainant one Ramaraj examined as Pw1. He deposed that to for about one year ago, there was a commotion near the TASMAL Bar at

Siruvachur. The police came there and obtained his signature in a paper. Pw1's signature marked as Ex.P1. One Sathish examined as Pw2. He is working along with Pw1 in a TASMACH Bar and he stated about anything about the alleged occurrence. One Ramakrishnan and Sivanesan are examined as PW3 and Pw4 respectively. Both of them have signed as attestors in the Observation Mahazar. However, they have not deposed anything about inspection of police at this scene of crime or preparation of Mahazar. Pw6 is the attestor of the confession statement obtained from A1. He has not admitted the signatures available in the confession statement as that of him.

8. The Special Sub Inspector of Police one Krishnamoorthi examined as Pw7. When he was on duty in the Perambalur P.S on 12.02.2024, Pw1 came there and lodged a complaint. He received it and registered a case in Cr.No.118/2024 for the offences punishable U/S.392 r/w 397 and 506(ii) of IPC. The FIR register by Pw7 is marked as Ex.P5.

9. Pw8 is the Investigating Officer, who took the case of investigating inspected the scene of crime at 7.45 a.m. on 12.02.2024. He prepared an Observation Mahazar and Rough Sketch. The complaint which was lodged by Pw1 marked through Pw8 as Ex.P6.

10. The Observation Mahazar and Rough Sketch are marked as Ex.P7 and Ex.P8. He also recorded the statement of the defacto complainant and ocular witnesses. On 12.02.2024 at 9.00 am. he arrested Kodikamal A1 near Kalpadi Junction road and also recorded the confession statement voluntarily made by the accused, in the presence of Pw6 and one Duraisamy. The admissible

portion of the confession statement was recorded as Ex.P9. A sum of Rs.5,000/- and knife produced by A1 was recovered under a recovery mahazar marked as Ex.P10 and Form 95 marked as Ex.P11. The photo copy of the currency notes exhibited as M.O.1 and knife exhibited as M.O.2. After sending A1 to Judicial custody, he also arrested Ilaiyaraaja A2 at 7.00 a.m. on 24.02.2024 and after observing all legal formalities he was sent to the judicial custody. After completing the investigation he filed the final report against both A1 and A2 U/S. 392 r/w 397 of IPC.

11. After completion of examination of prosecution witnesses the incriminating circumstances arising out of the prosecution case have been put to the accused and examined U/s. 313 (1) (b) of Cr.P.C. for which the accused denied his complicity with the offences and stated that it is a false case. No evidence let in by the accused (A1).

THE POINT FOR DETERMINATION IS WEATHER THE CHARGES FRAMED UNDER SECTIONS 392 AND 397 AND 506(ii) OF IPC, PROVED BEYOND ALL REASONABLE DOUBTS BY THE PROSECUTION?

IF SO, THE ACCUSED LIABLE TO BE PUNISHED UNDER LAW?

12. Heard, the learned public prosecutor and the learned counsel appearing for the A1. This Court carefully read the documents, evidence available on record.

13. On the side of the prosecution, 8 witnesses examined and 11 documents are exhibited. In addition to this documentary evidence 2 material objects or also marked .

14. Among the witnesses examined on the side of the prosecution, Pw1 is a key witness. As per the final report filed by the prosecution he has set the criminal law into motion by lodging a complaint. In his evidence he has spoken to that the signature found in the complaint was subscribed by him but he has not lodged any complaint against anyone. As the police person requested him put a signature immediately after an untoward incident that took place outside the TASMAL bar. Except this content there is no other valid substance in the evidence of Pw1 about the lodging of complaint or extortion of money from him at knife point.

15. Pw2, is also an ocular witness, but he has not spoken about the occurrence are the presence of the accused persons at the time of occurrence in the scene of crime in his evidence also there is no materials available to connect the accused persons with the crime.

16. Two persons who have attested the Observation Mahazar prepared by the police have been examined as Pw3 and Pw4 they have admitted the signatures available in the Mahazar but they have not stated anything about the inspection made by the police at the scene of crying recovery of any materials from there. In such circumstances the oral evidence of Pw3 and Pw4 are also not sufficient to show that there was an occurrence and in pursuance of it inspection by the investigating officer.

17. Prosecution has chosen to examine the two of the a test stars star of the confession Recorded from a one. Their signatures marked as Ex.P4 and Ex.P5, but absolutely there is no other material to prove the alleged confession was made by the 1st accused. The Special Sub Inspector of police who

received the complaint from Pw1 and registered the case examined as Pw7 full step his evidence about the receipt of the complaint from the Pw1 and registration of the case in Cr.No. 118 of 2024. The investigating officer, who investigated the case examined as Pw8 he has spoken to complaint Ex.P6 and the recording of statements of the witnesses and inspection of the scene of crime for the preparation of observation Mahazar Ex.P7. He has also spoken to the arrest of the accused person and confession made by a one.

18. Except the oral evidence of PW 7 and PW 8 there is no other independent witnesses spoken to the occurrence or recording of confession. The uncorroborated oral evidence of the police officer cannot be accepted. The defacto complainant himself has disowned the complaint, which said to have lodged by him. Further, the the confession Kamalahasan and recovery and other material phases of investigation also not duly proved by the prosecution.

19. Therefore, this Court is of the view that the prosecution has not proved the charges framed against the A1 beyond all reasonable doubts and the A1 is entitled to benefits of doubts.

In the result, this court is holding that the charges framed against accused U/S. 392 r/w 397 and 506(ii) of IPC are not proved by the prosecution beyond all reasonable doubts and the accused is entitled to the benefits of doubts. Consequently, the accused is acquitted from the above said charges U/s. 235(1) of Cr.P.C.

The bail bond executed by him, if any stands cancelled.

The property remanded in R.P.No.5/2026 – M.O.1 Cash Rs.5,000/- is ordered to be confiscated to the State and M.O.2 Knife is ordered to be

destroyed after the appeal time is over.

Dictated to the steno-typist, directly typed by her in the computer, corrected and pronounced by me in the open court this 28th day of July 2026.

Principal District and Sessions Judge,
Perambalur.

Prosecution Side Witnesses:-

1	Pw1	Mr. Ramaraj
2	Pw2	Mr. Sathish
3	Pw3	Mr. Ramakrishnan
4	Pw4	Mr. Sivanesan
5	Pw5	Mr. Duraisamy
6	Pw6	Mr. SathikBatsa
7	Pw7	Mr. Krishnamoorthi
8	Pw8	Mr. Karunakaran

Prosecution Side Exhibits:-

1	Ex.P1	The signature of Pw1 in the Complaint.
2	Ex.P2	The signature of Pw3 in the Observation Mahazar.
3	Ex.P3	The signature of Pw4 in the Observation Mahazar.
4	Ex.P4	The signature of Pw5 in the Confession Statement.
5	Ex.P5	First Information Report.
6	Ex.P6	Complaint.
7	Ex.P7	Observation Mahazar.
8	Ex.P8	Rough Sketch.
9	Ex.P9	Confession Statement of Admissible portion only.
10	Ex.P10	Seizure Mahazar.
11	Ex.P11	Form 95.

Material Objects:-

1	M.O.1	Cash Rs.5,000/-
2	M.O.2	Knife

Defence Side Witness, Exhibits & Material Objects:-

- Nil -

Principal District and Sessions Judge,
Perambalur.

PDSJ Court,
Perambalur.

Fair/Draft Judgment
S.C.No.30/2025
D.D: 28.07.2026.