

Date of filing	:	22.10.2020	Date of Judgment	:	30.04.2026
Date of Registration	:	22.10.2020	Trial Period	:	5 years 6 Months, 7 Days

IN THE COURT OF THE JUDICIAL MAGISTRATE No.1, METTUR.

PRESENT: N. Gopalakrishnan B.Sc., B.L., Judicial Magistrate No.1, Mettur.

Thursday, 30th day of April 2026

C.C. No. 362 of 2025

CNR No. TNSA1800-0921-2020

State represented by the Sub Inspector of Police, Mettur
Police Station in **Cr. No. 538 of 2020 u/s 294(b), 323 of
I.P.C.**

...Complainant

-Vs-

Rangasamy (36) S/o Alagesan, PooNagar, Veerappa
Nayakkanpatti, Harur Taluk, Dharmapuri District.

...Accused

CASE SUMMARY

1. The period of remand of the : Not remanded
accused;
2. The date of filing of the : 22.10.2020
complaint/final report in the
Court;
3. The date of committal of the : Not applicable
case to the Court of Session
4. The date of questioning of the : 07.01.2023

accused under Sections 228, 240, 246 and 251 of the Code (or) Section 251,263,269 and 274 of B.N.S.S. as the case may be;

5. Filing of all miscellaneous petitions and their results including the results on challenge before superior Courts, except routine petitions like petitions under section 317 of the Code / 355 of B.N.S.S, etc;
- : 1) CMP.12 /2023 date : 03.01.2023
Filed Advanced hearing petition
- 2) CMP.13 /2023 date : 03.01.2023
Filed petition u/s.70(2) of Cr.P.C
Allowed.
- 3) CMP.14 /2025 date : 03.01.2023
Filed Surrender petition
- 4) CMP.950/2024 date : 21.02.2024
Filed Advanced hearing petition
- 5) CMP.951 /2024 date : 21.02.2024
Filed petition u/s.70(2) of Cr.P.C
Allowed.
- 6) CMP.952 /2024 date : 21.02.2024
Filed Surrender petition
- 7) CMP. /2025 date :
12.02.2025 Filed Advanced hearing
petition
- 8) CMP. /2023 date : 12.02.2025
Filed petition u/s.72(2) of BNSS
Allowed.
- 9) CMP. /2025 date : 12.02.2025

Filed Surrender petition

10) MP.1 & 2 /2025 date :

22.01.2026 Filed petition u/s.348 of
BNSS Allowed.

- | 6. | Date of examination-in-chief
and cross-examination of a
witness; | : | Chief
Examination | Cross-
Examination | |
|----|--|---|----------------------|-----------------------|------------|
| | | | PW.1 | 17.10.2023 | 20.02.2026 |
| | | | PW.2 | 17.10.2023 | 02.03.2026 |
| | | | PW.3 | 21.06.2025 | 21.06.2025 |
| | | | P.W.4 | 07.08.2025 | NIL |
| | | | P.W.5 | 19.08.2025 | 19.08.2025 |
| | | | P.W.6 | 25.08.2025 | 25.08.2025 |
| | | | P.W.7 | 18.03.2026 | 18.03.2026 |
| | | | P.W.8 | 08.04.2026 | 08.04.2026 |
7. Date of examination of the accused under section 313 of the Code / section 351 of B.N.S.S. ; : 17.04.2026
8. Details of absconding of an accused and his appearance / production, as the case may be; : Nil
9. Grant of stay by superior Courts and the results thereof; : Nil

and

10. Details of victim : Nil
compensation ordered.

This calendar case came before this Court on 30.04.2026 for hearing the learned **Assistant Public Prosecutor Mr. V. Shanmughasundaram** for the prosecution and the learned advocate **Mr. K. Deepakkumar** for the accused, and on perusal of available materials, having stood to this day for consideration, this Court delivers the following:

JUDGMENT

The case of the prosecution, as projected in the final report filed by the Sub-Inspector, Vigneshwaramoorthy, of Mettur Police Station, is encapsulated as follows:

The victim, Madhuvandhi, and the accused, Rangasamy, are husband and wife. Due to certain domestic differences, the victim, Madhuvandhi, was residing separately at her parental home. On September 13, 2020, at approximately 8:30 p.m., the accused visited the said residence and invited the victim to resume their matrimonial life. When the victim refused to comply, a heated verbal altercation ensued between the parties. In the course of the dispute, the accused allegedly abused the victim in filthy and obscene language, specifically using the term “Devidiya”. Furthermore, the accused is stated to

have physically assaulted the victim with his hands, striking her on the head, neck, and back, thereby causing simple injuries.

Based on the complaint lodged regarding the incident, a case was registered and, upon completion of the investigation, the Sub-Inspector filed the final report against the accused, Rangasamy, for the commission of offences punishable **under Sections 294(b) and 323 of the Indian Penal Code.**

A. COGNIZANCE

1. On **October 22, 2020**, the final report was filed, prompting the court to take cognizance of the offenses **under IPC Sections 294(b), 323 of I.P.C.** The accused was subsequently summoned, and upon appearance, was provided with copies as per **Section 207 of the Cr.P.C.**

B. SUBSTANCE OF THE ACCUSATION

2. Upon perusal of the final report and the materials on record, on **January 7, 2023**, the accused questioned by reading out and by explaining the substance of the accusation under **section 294(b) and 323 of I.P.C** in the language known to them. The accused, having understood the nature of the accusations, pleaded not guilty and claimed to be tried. The accused further submitted that they would lead a defence. Consequently, the case proceeded to trial.

C. WITNESSES AND DOCUMENTS

3. To prove their case, the prosecution has examined **P.W. 1 to P.W. 8** as witnesses and marked **Ex.P.1 to Ex.P.6**. The defence opted not to call any witnesses or produce any documents.

D. FACTS OF THE CASE

4. Case of the Prosecution as per the Testimonies of Witnesses:

- a) The de facto complainant, PW-1 Madhuvanathi, is the legally wedded wife of the accused Rangasamy. Their marriage was solemnised in the year 2015, and a male child was born out of wedlock. Due to matrimonial discord, the spouses have been living separately since 2016 onwards, and PW-1 Madhuvanathi has been residing in her parental house at Mettur along with her parents and family members. The existence of prior disputes between the spouses is borne out by the evidence of PW-1 Madhuvanathi, PW-2 Chandira (mother), PW-3 Rajendran (father), and is also admitted by the Investigating Officers, PW-6 Venugopal and PW-7 Vigneshwaramoorthy, who speak about the pendency of divorce proceedings and a Domestic Violence case between the parties.

- b) According to the prosecution, on 13.09.2020 at about 8.30 p.m., the accused came to the house of PW-1 Madhuvanathi at Mettur. It is the specific case of the prosecution that the accused entered the house and picked up a quarrel with PW-1 Madhuvanathi, abused her in filthy language and assaulted her by pulling her hair, beating her and causing injuries around her neck. When PW-2 Chandira and PW-3 Rajendran attempted to intervene and pacify the situation, the accused continued his aggressive behaviour, resulting in a commotion at the house and attracting the attention of neighbours. The occurrence is consistently spoken to by PW-1 Madhuvanathi, PW-2 Chandira, and PW-3 Rajendran. PW-4 Sathish, a neighbour, did not support the prosecution's version during the trial and was treated as hostile.
- c) Immediately after the occurrence, PW-1 Madhuvanathi was taken to the Government Hospital, Mettur, by her mother, PW-2 Chandira. PW-8 Dr Prasad, Senior Assistant Surgeon, Government Hospital, Mettur, deposed that PW-1 Madhuvanathi was brought to the hospital on 13.09.2020 at about 9.45 p.m. with a history of assault by her husband at about 8.30 p.m. at her residence. On examination, PW-8 Dr Prasad noticed multiple abrasions of

varying sizes around the neck of PW-1 Madhuvanathi. He admitted her as an inpatient, treated her for three days, and discharged her on 15.09.2020 at about 5.00 p.m. The injuries were certified as simple in nature. The Accident Register issued by PW-8 was marked as Ex.P5 – Accident Register, and the Wound Certificate was marked as Ex.P6 – Wound Certificate.

d) Upon receipt of an assault intimation from Government Hospital, Mettur, PW-6 Venugopal, Sub-Inspector of Police, Mettur Police Station, visited the hospital on 14.09.2020 and recorded the statement of PW-1 Madhuvanathi while she was undergoing treatment. Since the dispute was between husband and wife, the complaint was initially taken up as a petition enquiry and entered in the Community Service Register, the receipt of which was later marked as Ex.P4 – CSR Receipt.

e) As the petition enquiry did not result in closure of the matter, PW-6 Venugopal proceeded to register a formal criminal case. Accordingly, on 19.09.2020 at 6.00 p.m., he registered a case in Crime No.538 of 2020 on the file of Mettur Police Station for the offences under Sections 294(b) and 323 IPC. The complaint given by PW-1 Madhuvanathi was marked as Ex.P1 – Complaint. The

delay of about five days in registering the First Information Report was explained by PW-6 Venugopal as having occurred due to the preliminary enquiry conducted in view of the matrimonial nature of the dispute.

- f) Thereafter, PW-6 Venugopal visited the place of occurrence and, in the presence of witnesses, prepared the Observation Mahazar, marked as Ex.P2 – Observation Mahazar, and the Rough Sketch, marked as Ex.P3 – Rough Sketch. He examined the material witnesses, including the family members of PW-1 Madhuvanathi and neighbouring residents, recorded their statements, and completed the initial investigation.
- g) The further investigation was taken over by PW-7 Vigneshwaramoorthy, Sub-Inspector of Police. PW-7 examined PW-8 Dr. Prasad, the Medical Officer who treated PW-1 Madhuvanathi, and recorded his statement on 06.10.2020. As the remaining witnesses had already been examined by the previous Investigating Officer, PW-7 did not record fresh statements from them. Upon completion of the investigation, PW-7 Vigneshwaramoorthy filed the final report (charge sheet) on 06.10.2020 before the jurisdictional Judicial Magistrate, accusing

the accused Rangasamy of having committed the offences punishable under **Sections 294(b) and 323 of the Indian Penal Code.**

- h) Thus, according to the prosecution, the oral testimony of PW-1 to PW-8 and the documentary evidence marked as Exs.P1 to P6 collectively establish the occurrence dated 13.09.2020, the injuries sustained by PW-1 Madhuvanthi, the subsequent investigation conducted by the police, and the filing of the charge sheet against the accused.

E. QUESTIONING U/S 313(1)(b) of Cr.P.C.

5. Following the conclusion of the prosecution's evidence, on **17th April 2026**, the incriminating circumstances appearing against the accused were explained to them, and they were questioned under section **313(1)(b) Cr. P.C.** The accused denied complicity with the offence and claimed that he had been falsely implicated in this case.

F. ARGUMENTS

6. Heard the elaborate arguments of the learned Assistant Public Prosecutor and the argument advanced by the defence counsel.

7. The case of Prosecution and Arguments: The case of the prosecution is that on 13.09.2020, at about 08:30 PM, the accused arrived at the residence of his father-in-law and addressed the victim, Madhuvandhi, in filthy and obscene language, subsequently causing hurt by pulling her hair, punching her on the head and back, and scratching her neck with his nails, an act witnessed by PW2 Chandra and PW3 Velusamy who were also physically pushed when they attempted to intervene. The prosecution further relies on the medical testimony of PW8 Dr. Prasad, who confirmed the existence of abrasions around the neck of the victim, Madhuvandhi, and the investigative procedures conducted by PW6 Special Sub-Inspector Venugopal and PW7 Sub-Inspector Vigneshwaramoorthy, contending that the evidence remains consistent and corroborative of the charges framed against the accused, wherefore, the prosecution asked to find the accused guilty and convict him in accordance with the law.

11. The Case for the Defence and Plea of the Accused: The case of the defence is that the accused has been falsely implicated in this matter due to deep-seated matrimonial discord, including a pending divorce petition in HMOP No. 122/2016 and a domestic violence case in DVC No. 2/2017, and that no such incident occurred on the alleged date. The

defence argues that the prosecution's narrative is riddled with contradictions, specifically noting that the independent witness PW4 Sathish did not support the prosecution's version, and highlighting significant discrepancies between the ocular testimony and the observation mahazar regarding the exact place of occurrence, which suggests that the complaint was a belated and malicious fabrication intended to secure the accused's incarceration, wherefore, the defence asked to acquit the accused of all charges.

G. POINTS FOR DETERMINATION

- a. Whether the prosecution proves that on 13.09.2020 at about 8.30 p.m., at the house of PW-1 Madhuvanathi at Mettur, the accused Rangasamy abused her in filthy language so as to attract the offence under Section 294(b) IPC?**
- b. Whether the prosecution proves that on the same date, time and place, the accused Rangasamy assaulted PW-1 Madhuvanathi and voluntarily caused her simple injuries, thereby committing an offence under Section 323 IPC?**

H. DISCUSSION AND ANALYSIS

12. Before considering the charges against the accused in this case, based on the cross-examination of the prosecution's oral evidence by the learned counsel for the accused, and upon perusing the other documentary evidence adduced on the side of the prosecution along with the case records, this Court determines that the following relevant facts have been prima facie proved.

- (a) **Relationship between the parties:** There is no dispute on either side that the victim and the accused are husband and wife, and that the victim is living with her parents due to matrimonial discord.
- (b) **Separate Living is the root cause of this case:** It is undisputed that the accused went to the victim's parental house to take her back to the matrimonial home.
- (c) **Place of Occurrence:** It is also a no-dispute that the place of occurrence is the parental home of the victim, within the limits of Mettur police station.
- (d) **The presence of the accused at the scene of the occurrence:** It is not the case of the defence that the accused was not present at the relevant point in time. On the contrary, during the cross-examination of the victim, Madhuvanathi(PW1), a suggestion was

put forth by the learned counsel for the accused that the incident, which occurred inside the house, had instead taken place outside the house. Furthermore, as per the version of the defence, the accused had participated in peace talks on the said day to bring her back to his home. Consequently, the presence of the accused is clearly admitted and stands established by the other circumstances of the case.

(e) **Antecedent Litigations:** It is an admitted fact by both parties that prior to the occurrence of the incident in the present case, a divorce petition before the Subordinate Court and an application under the Domestic Violence Act before this Court were pending between the victim, Madhuvandhi (PW1) and the accused, Rangasamy. Thus, it is evident that there were pre-existing disputes and differences of opinion between the two parties.

13.Point No.1: Whether the prosecution proves that on 13.09.2020 at about 8.30 p.m., at the house of PW-1 Madhuvanathi at Mettur, the accused Rangasamy abused her in filthy language so as to attract the offence under Section 294(b) IPC?

14.The victim, Madhuvandhi (PW1), has deposed in her evidence that at the time of the incident, the accused in this case, who is her husband, came to

her parental home and immediately began abusing her in filthy language. She further testified that the accused assaulted her with his hands on her head and back, and caused scratch marks on her neck with his fingernails. However, the victim, Madhuvandhi, has not specifically deposed as to the exact words of abuse used against her. Furthermore, the victim, Madhuvandhi, has not testified before this Court that the accused abused her in a public place. Specifically, she has stated in her evidence that while the incident commenced inside the house, the accused forcibly dragged her out into the street.

15. Similarly, in alignment with the testimony of the victim, Madhuvandhi (PW1), her mother, Chandra (PW2), has also deposed that the accused used abusive language during the incident. However, she did not specify the exact words of abuse in her testimony. It is significant to note that she further testified that the accused pushed her and her husband aside before assaulting the victim, and that he left the premises only after relatives arrived upon hearing the commotion. From the evidence of Chandra (PW2), it is discernible that the incident transpired inside her house, and the accused exited the dwelling only after the occurrence. Furthermore, during cross-examination, the said Chandra (PW2) affirmed that the

accused entered their house and committed the acts of abuse and assault therein.

16. The father of the victim, Madhuvandhi, namely Rajendran (PW3), deposed that while they were at their residence, the accused arrived and requested the victim to return and live with him. Notably, the said Rajendran (PW3) did not testify before this Court regarding the use of obscene language by the accused, as claimed by the other two witnesses. Apart from these individuals, no other person has deposed before this Court that the accused uttered abusive words. On a cumulative shifting of the evidence of these three witnesses, it is evident that the alleged incident took place inside the dwelling of the victim, which is not a public place. Moreover, in the absence of specific testimony regarding the exact words used, this Court is of the view that it cannot be determined whether the words were indeed obscene. Additionally, no witness has specifically deposed that the alleged verbal abuse caused annoyance or provocation to anyone. Consequently, this Court determines that the prosecution has failed to prove the essential ingredients of the offence under **Section 294(b) of the Indian Penal Code** against the accused beyond a reasonable doubt through sufficient oral and documentary evidence. Thereby, this court answers point No.1 negatively to the prosecution.

17.Point No.2: Whether the prosecution proves that on the same date, time and place, the accused Rangasamy assaulted PW-1 Madhuvanathi and voluntarily caused her simple injuries, thereby committing an offence under Section 323 IPC?

18.The victim, Madhuvandhi (PW1), has deposed in her evidence that during the course of the incident, the accused assaulted her by striking her with his hands on her head and back, and further caused scratch marks on her neck with his fingernails. To corroborate her testimony, her mother, Chandra (PW2), and her father, Rajendran (PW3), have testified in support of the said version. Furthermore, the victim, Madhuvandhi (PW1), has stated in her evidence that the accused pulled her hair during the occurrence. At the same time, her mother, Chandra (PW2), has also deposed that the accused assaulted her after pulling her hair. Additionally, she testified that since her daughter had sustained injuries on her neck, they proceeded to the hospital for treatment.

19.During the cross-examination, the victim, Madhuvandhi (PW1), deposed that the accused dragged her by her hair into the street. PW8, Prashanth, the Medical Officer who treated the said Madhuvandhi, testified regarding the injuries sustained by her, stating that there were abrasions of varying sizes around her neck. In his cross-examination, the Medical

Officer stated that he could not specifically determine the manner in which the assault was committed. He further opined that such abrasions around the neck were unlikely to be caused by a fall or by manual strangulation, but could occur if a cloth was used to tighten around the neck.

20. Upon a scrutiny of the medical evidence, this Court is of the view that had the neck been throttled to the extent of causing such injuries, it would have resulted in severe consequences, including breathlessness. The Court considers it a plausible inference that while such injuries might not arise from a fall or manual strangulation, they could occur due to the use of a cloth. At the same time, this Court observes that when a person pulls a woman's hair and drags her while striking her on the head and back, small abrasions could likely occur around the neck during the ensuing scuffle.

21. Specifically, the testimony of the victim, Madhuvandhi (PW1)—to the effect that the accused pulled her hair, beat her on the head and back, and scratched her neck with his fingernails—is corroborated by her parents, Chandra (PW2) and Rajendran (PW3), who were present at the house. No material contradictions have been elicited to prove their testimonies false. Furthermore, the Court believes that public witnesses cannot be expected

to be present at an incident occurring inside a dwelling house. It is a settled principle that medical evidence is merely opinionative, and its acceptability and interpretation rest with the Court.

22. In this context, the Court finds that the delay in seeking medical treatment, the ambiguity regarding the mode of complaint, the non-examination of one Kowsalya who might have been present, and the discrepancies regarding who accompanied the accused are not sufficient to prejudice the prosecution's case. Regarding the contention of the learned counsel for the accused concerning the five-day delay in registering the First Information Report, this Court takes note of the fact that a complaint was preferred immediately, and as it was a matrimonial dispute, a CSR (Exhibit P.4) was issued, and an inquiry was conducted.

23. Therefore, the counter-arguments raised by the learned counsel for the accused are insufficient to undermine the credibility of the prosecution's case. Considering that the presence of the accused at the scene of the occurrence was not denied, and taking into account the pre-existing matrimonial and divorce litigations, as well as the fact that the accused visited the house of the victim years after their separation in 2020, this Court finds the evidence confirming the incident to be substantial.

24. The delay in the registration of the FIR is explained by the prompt issuance of the CSR, and the prosecution witnesses remain credible without any material contradictions that would suggest the incident did not occur. Considering the admissions made by the defence and the fact that the accused assaulted the victim, Madhuvandhi (PW1), by pulling her hair and striking her, causing simple injuries that necessitated three days of hospitalisation, this Court answers the second point for consideration in favour of the prosecution. It is held that the prosecution has proved the charge against the accused under **Section 323 of the Indian Penal Code** beyond a reasonable doubt through sufficient oral and documentary evidence.

CONCLUSION

In the result, insofar as the charge under **Section 294(b) of the Indian Penal Code** is concerned, this Court finds that the prosecution has failed to establish the same. Accordingly, the accused Rangasamy is found not guilty of the said offence and is acquitted under **Section 255(1) of the Code of Criminal Procedure**.

Insofar as the charge under **Section 323 of the Indian Penal Code** is concerned, upon a careful consideration of the oral and documentary evidence

adduced by the prosecution, this Court is satisfied that the prosecution has proved the guilt of the accused beyond a reasonable doubt.

Having regard to the fact that the case has been pending since the year 2020, the nature of the injuries sustained by the victim being simple in nature, and taking into account the overall circumstances and background of the occurrence, this Court is of the considered view that imposition of a fine would meet the ends of justice.

Accordingly, the accused Rangasamy is hereby convicted for the offence punishable under **Section 323 of the Indian Penal Code**, under **Section 255(2) of the Code of Criminal Procedure**, and is sentenced to pay a fine of **Rs.1,000/- (Rupees One Thousand only)**. In default of payment of the fine, the accused shall undergo simple imprisonment for **a period of 15 days**.

There are no case properties in this case.

This judgment was directly dictated to steno typist and typed by him on computer and delivered by me in open Court on **30th day of April 2026**.

Judicial Magistrate No.1, Mettur.

LIST OF WITNESSES BY THE PROSECUTION

-
- | | | | |
|----|------|---------------------------|-----------------------------------|
| 1. | PW.1 | Mrs. Madhuvanathi | The Victim |
| 2. | PW.2 | Mrs. Chandra | Eye Witness |
| 3. | PW.3 | Mr. Rajendran | Eye Witness |
| 4. | PW.4 | Mr. Sathish | Eye Witness |
| 5. | PW.5 | Mr. Rameshkumar | Eye Witness |
| 6. | PW.6 | Mr. Venugopal SSI | Preliminary Investigating Officer |
| 7. | PW.7 | Mr. Vigneshwaramoorthi SI | Investigating Officer |
| 8. | PW.8 | Mr. Prasath Doctor | Treatment Doctor |

LIST OF PROSECUTION SIDE EXHIBITS

- | | | | |
|----|-----------------|--|-----|
| 1. | Ex. P. 1 | Initial Statement of Victim | PW1 |
| 2. | Ex. P. 2 | Rough Sketch | PW6 |
| 3. | Ex. P. 3 | Observation Mahazar | PW6 |
| 4. | Ex. P. 4 | CSR receipt | PW7 |
| 5. | Ex. P. 5 | Copy of Accident Register of
Madhuvanathi | PW8 |
| 6. | Ex. P. 6 | Wound Certificate of Madhuvanathi | PW8 |

LIST OF MATERIAL OBJECTS BY THE PROSECUTION

-NIL-

LIST OF WITNESSES BY THE DEFENCE

NIL

LIST OF DEFENCE SIDE EXHIBITS

NIL

Judicial Magistrate No.1, Mettur.

Note:-

1. The parties were informed of the outcome of the case.
2. No witnesses called not more than three times.