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C.C.No.611 of 2022

IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI

PRESENT:THIRU. J.KARMEGAKANNAN, B.A., B.L.,

JUDICIAL MAGISTRATE, KARAIKUDI

On Tuesday the 17th day of March 2026

Calendar Case No.611 of 2022

Old C.C.No.28 of 2017

Crime No.524 of 2016

(On the file of Karaikudi North Police station)

CNR No.TNSV19 – 001 – 995 - 2022

Statement as per Rule 106 of the Criminal Rules of Practice, 2019

1.	Serial Number	Calendar Case (C.C). No.611 of 2022
2.	Name of the Police Station and Crime Number	State Reperesented through Inspector of Police, Karaikudi North Police Station, Sivagangai District. Crime No. 524 of 2016. Complainant
3.	Name	Kumar,
	Father's name	S/o. Karuppaiah,
	Occupation	Adappan Vayal 2nd Street,
	Residence	Pudhukottai District. Accused
	Age	
4.	Date of Occurrence	10.09.2016
5.	Date of Final Report	27.01.2017
6.	Date of Apprehension	21.12.2016



7.	Date of Release on bail	02.02.2017		
8.		Witnesses	Chief Examination	Cross Examination
		PW-1	17.07.2018	10.02.2026
		PW-2	17.07.2018	10.02.2026
		PW-3	12.12.2023	12.12.2023
		PW-4	12.12.2023	12.12.2023
		PW-5	09.01.2024	09.01.2024
		PW-6	12.03.2024	12.03.2024
		PW-7	25.06.2025	25.06.2025
		PW-8	25.06.2025	25.06.2025
		PW-9	16.07.2025	16.07.2025
		PW-10	06.08.2025	06.08.2025
		PW-11	03.12.2025	03.12.2025
9.	Closure of Trial	03.12.2025		
10.	Accused is questioned u/s.313(1)(b) of Crpc date	08.12.2025		
11	Sentence or Order.	The offence punishable under Section 392 of the Indian Penal Code and he is sentenced to undergo rigorous imprisonment for a period of two years and six months and to pay a fine of Rs.5,000/-. In default of payment of fine, the accused shall		



		undergo simple imprisonment for a further period of three months.
12.	Service of copy of judgment or finding on accused	yes. Free copy of the judgment was furnished to the accused as per section 404 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
13.	Explanation of delay	The delay was occasioned due to the delay in serving of summons on the accused and Covid - 19 pandemic situation.
14.	Date of Judgment Reserved	11.03.2026
15.	Date of Judgment Pronounce	17.03.2026

This case being taken on file in the year 2017 and previously numbered as CC.No. 28/2017 and this court converted on 2022 as Judicial Magistrate Court Karaikudi, new number has been assigned as CC.No. 611/2022 and the state being represented by Mr. Selvaraj, Assistant Public Prosecutor- Grade I and Mr.M.Senthilkumar, counsel for Accused and after perusing the documents filed, evidence adduced and upon hearing submission of both sides, this court passes the following;



JUDGEMENT

1. The present case has been charge-sheeted by the Inspector of Police, Karaikudi North Police Station, in Crime No.524 of 2016 against the above accused persons under section 392 of Indian Penal Code, 1860.

2. The prosecution case in brief as follows;

The defacto complainant is a resident of Karaikudi. On 10.09.2016, she started from her house to go to Kalanivasal to visit her mother's house and returned at about 07.45 p.m. While she was proceeding from north to south near the Periyar Statue at Karaikudi, close to Sanangkali Amman Temple and near Subash School, riding her son's two wheeler, an unknown person suddenly touched her from behind. When she turned back, the said person, who had come from behind her, snatched her eight sovereigns gold thali chain and fled away towards the side of the Periyar Statue. Despite attempts made by the complainant and others present there, they were unable to secure the accused.

3. Being aggrieved over the same, the defacto complainant lodged the complaint on 10.09.2016 before the complainant police and based on which the FIR was registered on 10.09.2016. On charge sheet being file, the case was taken on file against the accused person and summons were issued. Hence, on appearance of the accused person copies were furnished under section 207 Cr.P.C. The particulars of the offence of which he being accused was put to



him, and accused had denied the same, as prima facie case existed, this court framed charge against the accused person under section 392 of Indian Penal Code, 1860, and asked whether he plead guilty or has any defence to make. The accused had denied the charge and claimed to be tried.

4. The evidence on the side of prosecution consists of testimonies of PW1 to PW11 and Exhibits P1 to P10 and P.M.O.No.1 also marked. After closure of prosecution side evidence, this court questioned the accused U/s 313 of the criminal procedure code, regarding incriminating material available against him in the prosecution evidence. The accused had denied the complicity of the offence. The defence side did not examine any witness nor did mark any document.

5. The learned Assistant Public Prosecutor for the State argued that the case of the Prosecution has been proved beyond all reasonable doubts on account of the consistent testimony of the witnesses regarding the offence against the accused persons under section 392 of Indian Penal Code, 1860. Thus, it was strongly pressed on behalf of State that the Accused be convicted and given maximum punishment.

6. Per contra, the learned counsel for the accused has Arguing that Prosecution has completely failed to discharge its burden of proving the case of



the Accused beyond reasonable doubts, learned Counsel for the Accused pressed upon his acquittal from the present case.

7. I have heard learned APP for the State and learned Counsel for the accused. I have gone through the oral and documentary evidence for appreciating the rival contentions.

8. Points for Consideration:

Whether the prosecution has proved its case beyond all reasonable doubt against the accused person for the offence under section 392 of Indian Penal Code, 1860?

The testimonies of the Prosecution side witnesses in brief as follows;-

9. The PW1-Mahalakshmi- The defacto complainant has deposed that on 10.09.2016 at about 06.00 p.m., after visiting her mother's house at NGO Colony, she returned to her home along with her elder son on his two-wheeler, a Honda Activa. When they reached near the Periyar Statue, Sanangkali Amman Temple, close to Subash Corporation School, one person who came near her touched her body. When she turned back, another person who came from behind on a two-wheeler snatched the thali chain from her neck and fled towards the side of the Periyar Statue. She further deposed that she shouted that a thief had snatched her chain. She also stated that the said person is the



accused who is now present before the Court and that she had seen him at the time when he snatched the chain. Thereafter, she informed the incident to her family members and subsequently lodged a complaint before the police, which has been marked as Ex.P1. She further stated that after about five to six months, the police informed her that her thali chain had been recovered. She obtained the same by filing an application before this Court. She has also identified the said jewel and the same has been marked as P.M.O. No.1.

10. The PW2- Karthik- The hearsay witness deposed that PW1 is his elder sister. On 10.09.2016, at about 6.00 p.m., PW1 went out and when she returned home at about 7.30 p.m., she informed him over the phone that when she had reached near Subash School, an unknown person came from behind and touched her back. When she turned around, the said person snatched her thali chain weighing about eight sovereigns. When PW1 attempted to catch him, the said person escaped from the place. Thereafter, he brought his sister to the police station for lodging a complaint. Subsequently, the police examined him during the course of investigation.

11. The PW3- Azhagappan- The witness, being a hearsay witness, deposed that on 10.09.2016, his daughter (PW1) came to his house to see him. After visiting him, she returned to her house at about 6:00 PM. While she was passing near the Periyar Statue, Sanagali Temple School, an unknown person



came from behind and touched her back. When she turned around, the said person snatched eight sovereigns of gold from her chain and ran away. Thereafter, she and others were unable to trace the accused. The incident was informed to him through a phone call. Subsequently, a complaint was lodged regarding the occurrence, and he was present at the time when the complaint was given.

12. The PW4- Chandhra- who was examined as hearsay witness had deposed that on 10.09.2016, his daughter (PW1) came to his house to see him. After visiting him, she returned to her house at about 6:00 PM. While she was passing near the Periyar Statue, Sanagali Temple School, an unknown person came from behind and touched her back. When she turned around, the said person snatched eight sovereigns of gold from her chain and ran away. Thereafter, she and others were unable to trace the accused. The incident was informed to him through a phone call. Subsequently, a complaint was lodged regarding the occurrence, and he was present at the time when the complaint was given.

13. The PW5- Saravanan- The person who witnessed the occurrence after hearing the sound has deposed that on 01.09.2016 at about 07:45 p.m., while he was walking on the road near Sanamkaliyamman Temple, he heard Mahalakshmi shouting. When he questioned her, she informed him that her



thali chain weighing eight sovereigns had been snatched by an unknown person. Thereafter, the said Mahalakshmi proceeded to the police station and lodged a complaint, and at that time he accompanied her to the police station.

14. The PW6- who was examined as the Mahazar witness has deposed that on 10.09.2016 at about 11:00 p.m., when he returned to his house, he noticed a crowd gathered near Sangalkaliamman Temple. At that time, the Karaikudi North Police prepared the Observation Mahazar and Rough Sketch, in which he signed as the first witness. The said Mahazar was marked as Ex.P2.

15. The PW7- Veerappan- who was examined as a confession and seizure mahazar witness, deposed that he knew the accused. On 21.12.2016, he and his brother-in-law, namely Palani, came at about 10:00 a.m. after work. At that time, the police were conducting a vehicle check near the Alagappar Statue. Two persons arrived on a Pulsar bike at high speed, and when the police stopped them and conducted enquiries, the accused persons voluntarily made a confession regarding the chain snatching in his presence. The witness signed as a witness to the confession statement and has admitted his signature therein. Based on the confession statement, the Inspector effected a recovery on the same day, and the witness also admitted his signature in the recovery mahazar. His signatures in the confession statement and recovery mahazar have been



marked as Ex.P3 and Ex.P4 respectively. In this connection, the police examined him.

16. The PW8- Palniyappan- who was examined as a confession and seizure mahazar witness, deposed that he knew the accused. On 21.12.2016, he and his brother-in-law, namely Palani, came at about 10:00 a.m. after work. At that time, the police were conducting a vehicle check near the Alagappar Statue. Two persons arrived on a Pulsar bike at high speed, and when the police stopped them and conducted enquiries, the accused persons voluntarily made a confession regarding the chain snatching in his presence. The witness signed as a witness to the confession statement and has admitted his signature therein. Based on the confession statement, the Inspector effected a recovery on the same day, and the witness also admitted his signature in the recovery mahazar. His signatures in the confession statement and recovery mahazar have been marked as Ex.P5 and Ex.P6 respectively. In this connection, the police examined him.

17. The PW9- Pitchai Pandian- The officer who had prepared the Observation Mahazar and Rough Sketch deposed that while he was on station duty, a FIR was registered by one Muthukrishnan in Crime No. 524 of 2016 for the alleged offence under Section 392 of the IPC. Thereafter, the FIR was handed over to him, and he prepared the Observation Mahazar and Rough



Sketch by visiting the place of occurrence. The said Rough Sketch was marked as Ex.P7. Thereafter, he examined witnesses No. 1 to 9 and handed over the same to Inspector Murugan for further investigation.

18. The PW10- The officer who registered the FIR deposed that while he was on station duty on 10.09.2016 at about 11:00 p.m., PW1 (Muthukrishnan) came and lodged a complaint. Based on the same, he registered FIR No. 524 of 2016 for the offence under Section 392 of the IPC, which was marked as Ex.P8. Thereafter, he handed over the FIR to Pitchaipandian for further investigation.

19. The PW11- Murugan- who was examined as formal witness had deposed that while he was working as the Inspector of Police, Karaikudi North Police Station, PW11 handed over the case file relating to Crime No.524 of 2016, registered for the offence under Section 392 IPC on 10.09.2016 at about 10.00 p.m., for further investigation. He further deposed that on 21.12.2016, at about 10.00 a.m., while he was conducting routine vehicle check-up near Pari Nagar, Alagappar Silai, one person came in a two-wheeler bearing Registration No. TN-55-AQ-8323 (Pulsar motorcycle). Upon enquiry, his replies were contradictory, and during further interrogation, he voluntarily gave confession statements relating to the present case, which were recorded in the presence of independent witnesses. He further deposed that based on the confession



statement, the accused led the police to the house of one Murugesan, from where the stolen gold jewels were recovered. He also recovered another Honda motorcycle, which was allegedly used for the commission of the offence. The admissible portion of the confession statement was marked as Ex.P9 and marked the seizure mahazar as Ex.P10. He then sent the case property to the Court under Form-95, which was marked as Ex.P11. Thereafter, he had examined the witnesses and filed the final report in the matter on 27.01.2017.

The point for consideration is answered as follows;-

20. The case of the prosecution is that on 10.09.2016 at about 07.45 p.m., while PW1 was returning to her house from her mother's residence by riding her son's two wheeler near the Periyar Statue at Karaikudi, an unknown person approached from behind and suddenly snatched the thali chain weighing about eight sovereigns from her neck and fled away from the place. Based on the complaint given by PW1, the police registered a case and after investigation filed the final report against the accused for the offence under Section 392 of the Indian Penal Code.

21. PW1, who is the defacto complainant and the person who set the criminal law in motion, has clearly spoken about the occurrence. In her chief examination she has categorically deposed that on the date of occurrence when



she was proceeding near Sanangkali Amman Temple and Subash School, one person came near her and touched her and immediately another person who came behind her snatched her thali chain and escaped from the place. She has also clearly identified the accused who was present before the court as the person involved in the occurrence. She has further stated that after some times the police informed her that the stolen jewel had been recovered and she identified the same before the court and the said thali chain was marked as P.M.O.No.1. The relevant portion of the chief examination of the PW1 is extracted hereunder for better appreciation;-

“நான் காரைக்குடியில் வசித்து வருகிறேன். நான் டெய்லரிங் வேலை செய்து வருகிறேன். கடந்த 10.09.2016 அன்று சனிக்கிழமை மாலை சுமார் 06.00 மணியளவில் என்ஜிஓ காலனியில் உள்ள எனது தாயார் வீட்டிற்கு சென்றுவிட்டு நானும், எனது இளைய மகனும் ஹோண்டா ஆக்சிஸ் என்ற இருசக்கர வாகனத்தில் வீட்டிற்கு வருவதற்காக வந்துகொண்டிருந்தோம். அவ்வாறு நாங்கள் வந்து கொண்டிருந்தபோது பெரியால் சிலை சாணாங்காளி கோவில் அருகில் உள்ள சுபாஷ் நகராட்சி பள்ளி வாசலில் வந்தபொழுது எனக்கு பின்னால் வந்தவர் எனது தோளில் தட்டினார். உடனே நான் திரும்பி பார்த்தபொழுது இருசக்கர வாகனத்தில் வந்து கொண்டிருந்தவர் வலது கையால் வாகனத்தை ஓட்டி கொண்டே அவரது இடது கையால் நான் கழுத்தில் அணிந்திருந்த 8 பவுன் தாலி சங்கிலியை அறுத்துக்கொண்டு சென்றுவிட்டார். உடனே நான் திருடன் திருடன் என்று சப்தம்



போட்டுக்கொண்டே இருசக்கர வாகனத்தில் தப்பி சென்ற என் சங்கிலியை பறித்து சென்ற நபரை விரட்டி சென்றேன். ஆனால் அவர் பெரியார் சிலை வந்து அதன்பின்பு எங்கு சென்றார் என்று பார்க்க இயலவில்லை தலைமறைவாகிவிட்டார். சம்பவ சமயத்தில் எனது கழுத்தில் கிடந்த சங்கிலியை அறுத்த நபர் ஆஜர் எதிரிதான். அவரை நான் சங்கிலி அறுத்தபோது திரும்பி பார்த்தேன். பின்னர் நான் எனது உறவினர்களுக்கு போலீசார்களுக்கும் சம்பவம் பொறுத்து கைபேசி மூலமாக தகவல் சொன்னேன். உடனே எனது தம்பி கொழுந்தனார் மாமனார் அனைவரும் சம்பவ இடத்திற்கு வந்தார்கள். பின்னர் அன்று இரவே வடக்கு காவல்நிலையம் சென்று சம்பவம் பொறுத்து புகார் கொடுத்தேன். என்னிடம் காண்பிக்கப்படும் புகார் தான் அது. அது அ.சா.ஆ.1. நான் புகார் கொடுத்ததற்கு பின்னர் 5,6 மாதம் கழித்து களவு போன எனது நகையை போலீசார் கைப்பற்றிவிட்டதாக சொன்னார்கள். நான் அதை சென்று அடையாளம் காண்பித்து நீதிமன்றத்திலிருந்து இடைக்கால பொறுப்பில் பெற்றுச்சென்றேன். தற்பொழுது நீதிமன்றத்தில் ஆஜர்படுத்தியுள்ள தங்கசங்கிலிதான் அது. அது சா.பொ.1.”

22. It is true that during the course of cross examination PW1 has stated that she had not seen the accused at the time of the occurrence. However, it is very important to note the circumstances under which such statement was made. The chief examination of PW1 was conducted on 17.07.2017 whereas



the cross examination was conducted only on 10.02.2026. Thus, there is an abnormal and significant delay of nearly nine years between the chief examination and the cross examination. Such a belated cross examination would naturally affect the memory of a witness and there is every possibility for the witness to forget certain details relating to the incident which had taken place long back. Hence the statement made by PW1 in the cross examination that she had not seen the accused cannot completely discredit the testimony given by her in the chief examination wherein she had clearly identified the accused.

23. Further, the evidence of PW1 regarding the occurrence is supported by the other witnesses examined on the side of the prosecution. PW2, PW3 and PW4 are hearsay witnesses. Though they have admitted that they have no direct knowledge about the occurrence, they have consistently deposed that PW1 informed them about the chain snatching incident immediately after the occurrence. Their testimonies establish that the occurrence had in fact taken place and that PW1 had immediately informed the same to her relatives.

24. The PW5 is another witness who came to the place of occurrence after hearing the alarm raised by PW1. He has stated that when he heard PW1 shouting that her thali chain had been snatched, he enquired her and she informed him about the incident. Thereafter he accompanied her to the police



station for lodging the complaint. His evidence further strengthens the version of PW1 that such an occurrence had taken place on the date and time stated by the prosecution.

25. PW6 is the mahazar witness who has spoken about the preparation of the observation mahazar and rough sketch at the place of occurrence by the police. His evidence shows that the investigating officer had visited the place of occurrence and conducted the investigation in accordance with law. PW9, the investigating officer who initially handled the investigation, has also deposed about the preparation of observation mahazar and rough sketch and about examining the witnesses during the course of investigation.

26. The prosecution has further relied upon the evidence relating to the confession statement and recovery of the stolen property. The PW7 and PW8 were examined as witnesses for the confession statement and recovery mahazar. Both these witnesses have deposed that on 21.12.2016 while the police were conducting vehicle checking near Alagappar Statue, the accused persons who came on a two wheeler were stopped by the police and during enquiry they voluntarily gave confession statements in their presence. They have also stated that based on the confession statement the police recovered the stolen jewels.



27. The PW8 in his evidence has fully supported the prosecution case and nothing material has been elicited during his cross examination to discredit his testimony. The relevant portion of the chief examination of the PW8 is extracted hereunder for better appreciation;-

“21.12.2016 அன்று நானும் எனது மைத்துனர் பழனி என்பவரும் வேலை முடித்துவிட்டு வீட்டிற்கு காலை 10.00 மணியளவில் சென்று கொண்டிருந்தோம். அழகப்பா கல்லூரி சிலை அருகே போலீசார் வாகன தணிக்கையில் ஈடுபட்டிருந்தார்கள். அப்பொழுது இரண்டு நபர்கள் வேகமாக பல்சர் வாகனத்தில் அங்கு வந்தார்கள் அவர்களை பிடித்து போலீசார் விசாரணை செய்ததில் இருவரும் எவ்வித தூண்டுதலும் இன்றி தன்னிச்சையாக செயினை பறித்துச் சென்ற குற்ற நடவடிக்கைகள் குறித்து தங்கள் முன்னிலையில் ஒப்புதல் வாக்குமூலம் அளித்தார். அதில் நான் கையொப்பம் செய்தேன். என்னிடம் காண்பிக்கப்படும் இந்த வழக்கின் எதிரி அளித்த ஒப்புதல் வாக்குமூலத்தில் உள்ள கையொப்பம் என்னுடையது தான். அது அ.சா.ஆ.5. அந்த ஒப்புதல் வாக்குமூலத்தின் அடிப்படையில் அன்றைய தினம் வழக்கு சொத்தை ஆய்வாளர் தங்கள் முன்னிலையில் சம்பவ இடத்தில் கைப்பற்றினார். அத்தாட்சியில் உள்ள கையொப்பம் என்னுடையதுதான். அது அ.சா.ஆ.6. இந்த வழக்கு சம்மந்தமாக ஆய்வாளர் தன்னை விசாரணை செய்தார்.”



His evidence clearly establishes that the accused voluntarily gave confession in the presence of witnesses and that the recovery was effected based on the said confession statement.

28. The PW7, who is another confession and seizure mahazar witness, has also supported the prosecution case. In his cross examination he has clearly stated that the recovery was made at Pudhukottai and that he had signed the relevant documents there itself. The relevant portion of the chief examination of the PW7 is extracted hereunder for better appreciation;-

“21.12.2016 அன்று நானும் எனது மைத்துனர் பழனி என்பவரும் வேலை முடித்துவிட்டு வீட்டிற்கு காலை 10.00 மணியளவில் சென்று கொண்டிருந்தோம். அழகப்பா கல்லூரி சிலை அருகே போலீசார் வாகன தணிக்கையில் ஈடுபட்டிருந்தார்கள். அப்பொழுது இரண்டு நபர்கள் வேகமாக பல்சர் வாகனத்தில் அங்கு வந்தார்கள் அவர்களை பிடித்து போலீசார் விசாரணை செய்ததில் இருவரும் எவ்வித தூண்டுதலும் இன்றி தன்னிச்சையாக செயினை பறித்து சென்ற குற்ற நடவடிக்கைகள் குறித்து தங்கள் முன்னிலையில் ஒப்புதல் வாக்குமூலங்கள் அளித்தார்கள். அதில் நான் கையொப்பம் செய்தேன். என்னிடம் காண்பிக்கப்படும் இந்த வழக்கின் எதிரி அளித்த ஒப்புதல் வாக்குமூலத்தில் உள்ள கையொப்பம் என்னுடையதுதான். அது அ.சா.ஆ.3. அந்த ஒப்புதல் வாக்குமூலத்தின் அடிப்படையில் அன்றைய தினம் வழக்கு சொத்தை ஆய்வாளர் எங்கள் முன்னிலையில் சம்பவ இடத்தில்



கைப்பற்றினார். அத்தாட்சியில் உள்ள கையொப்பம் என்னுடையதுதான். அது அ.சா.ஆ.4. இந்த வழக்கு சம்பந்தமாக ஆய்வாளர் என்னை விசாரணை செய்தார்.”

The relevant portion of his cross examination is read as follows;-

“நான் அத்தாட்சி ஆவணத்தில் கையெழுத்து செய்தபோது நான் அங்கு இல்லை என்று சொன்னால் சரியல்ல. போலீசார் கேட்டுக்கொண்டதற்கிணங்க சாட்சியம் அளிக்கிறேன் என்று சொன்னால் சரியல்ல. கையெழுத்து நான் புதுக்கோட்டையில் வைத்து செய்தேன் என்றால் சரிதான்.”

Hence, his testimony therefore corroborates the evidence of PW8 and the investigating officer regarding the recovery of the stolen property.

29. The PW11, the Inspector of Police who conducted the major part of the investigation, has clearly explained the manner in which the accused was secured during the vehicle checking and how the accused voluntarily gave confession statement relating to the present case. He has further stated that based on the confession statement the accused led the police to the house of his brother in law namely Murugesan and from there the stolen gold jewels were recovered. The admissible portion of the confession statement was marked as



Ex.P9 and the recovery mahazar was marked as Ex.P10. The recovered jewel was sent to the Court under Form-95.

30. The recovery of the stolen jewel assumes great importance in the present case. The recovery was effected pursuant to the confession statement given by the accused and the same is clearly proved through the evidence of PW7, PW8 and PW11. The said recovery is admissible under Section 27 of the Indian Evidence Act. The recovered jewel was identified by PW1 before the Court and the same was marked as P.M.O.No.1. Thus, the recovery of the stolen property at the instance of the accused provides strong corroboration to the prosecution case.

31. The evidence available on record therefore clearly establishes that the stolen jewel was recovered based on the information given by the accused and that the said jewel belonged to PW1. The fact that the accused had given the stolen jewel to his brother in law Murugesan and that the same was recovered from there is clearly reflected in the recovery mahazar marked as Ex.P9 and Ex.P10. This circumstance strongly connects the accused with the commission of the offence.

32. Moreover, when the entire evidence is considered as a whole, the testimony of PW1 regarding the occurrence, the supporting evidence of other



witnesses regarding the incident, and the recovery of the stolen property pursuant to the confession statement of the accused together form a complete chain of circumstances. These circumstances clearly point towards the guilt of the accused and there is no reason to disbelieve the prosecution version.

33. Though PW1 has made a statement during cross examination that she had not seen the accused, the same cannot be given undue importance in view of the extraordinary delay of nearly nine years in conducting the cross examination. On the other hand, her clear identification of the accused in the chief examination, coupled with the recovery of the stolen property at the instance of the accused, provides sufficient corroboration to the prosecution case.

34. Therefore, this court is of the considered view that the prosecution has successfully established that the accused had committed the chain snatching of the thali chain belonging to PW1 and that the stolen property was subsequently recovered based on the confession statement given by him. The evidence on record proves the guilt of the accused beyond all reasonable doubt.

35. Moreover, by considering the nature of the offence, which involves snatching of a woman's thali chain in a public place, this court is of the opinion that the offence is serious in nature. Therefore this Court is not inclined to



extend the benefit of the Probation of Offenders Act to the accused. This Court has also questioned the accused regarding the sentence to be imposed and the accused has requested for lesser punishment.

36. In the light of the above discussion and findings, this Court holds that the prosecution has proved the charge against the accused beyond all reasonable doubt.

37. Accordingly, the accused is convicted under Section 248(2) of the Code of Criminal Procedure for the offence punishable under Section 392 of the Indian Penal Code and he is sentenced to undergo rigorous imprisonment for a period of two years and six months and to pay a fine of Rs.5,000/-. In default of payment of fine, the accused shall undergo simple imprisonment for a further period of three months.

38. The period of custody already undergone by the 1st accused from 21.12.2016 to 07.03.2017 is ordered to be set off under section 428 Cr.P.C.

39. In this case the properties remanded in P.R.No.10/2017 (P.M.O.No.1) Gold Chain has already been handed over to the Defacto complainant on 19.01.2017 as per the orders in CrI.M.P.No.100/2017. Hence, no separate order regarding disposal of properties is required. Since, the case



itself disposed off, the properties handed over to the Defacto complainant can be retained by him and the bond if any executed for the same shall be cancelled after lapse of appeal period.

Typed by me in my computer, verified by me to be correct and pronounced in open court on 17th March, 2026.

Judicial Magistrae,
Karaikudi.

Chart for Prosecution side witnesses:		
PW.No	Name of Witness	Description
1	Mrs.Mahalakshmi	Defacto Complainant
2	Mr.Karthik	Hearsay witness
3	Mr.Alagappan	Hearsay witness
4	Mrs.Chandra	Hearsay witness
5	Mr.Saravanan	Formal witness
6	Mr.Karthik	Sketch & Mahazar witness
7	Mr.Veerappan	Confession statement and Seizure Mahazar witness
8	Mr.Palaniyappan	Confession statement and Seizure Mahazar witness
9	Mr.Pitchaipandiyan	Sketch, Mahazar and confession Statement witness



10	Mr.Muthukrishnan	Investigation Officer
11	Mr.Murugan	Investigation Officer
Defence Side Witness - NIL		
Chart for Exhibited Documents		
Exhibit No.	Description of the Exhibit	Proved by/Attested by
1	Complaint	PW1
2	Observation Mahazar	PW6
3	Signature of the PW7 in Confession Statement	PW7
4	Signature of the PW7 in Seizure Mahazar	PW7
5	Signature of the PW8 in Confession Statement	PW8
6	Signature of the PW8 in Seizure Mahazar	PW8
7	Rough Sketch	PW9
8	First Information Report	PW10
9	Admitted portion of the Confession Statement	PW11
10	Seizure Mahazar	PW11
11	Form 95	PW11
Exhibits of the Defence - NIL		
Chart for Material Objects		



Material Object No.	Description of the Exhibit	Proved by/Attested by
1	Gold Chain	PW1
Material Objects Submitted by Defence - NIL		

Judicial Magistrate,
Karaikudi.

Note:

1. During the period of trial the accused were enlarged on bail.
2. No witnesses were held more than three days without examination.
3. Judgment Date : 17.03.2026.
4. Copy to Hon'ble Chief Judicial Magistrate, Sivagangai.