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S.C. No.96/2025

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI

**Present: Thiru. Swarnam J. Natarajan, M.L.,
Principal Sessions Judge, Theni**

Friday, this the 13th day of March - 2026

Sessions Case No. 96/2025

CNR No. TNTH01-003045-2025

(Crime No. 959/2019, Bodi Town Police Station)

(P.R.C. No. 34/2025 of the Judicial Magistrate Court, Bodinayakkanur)

Name of the accused persons	: 1. Anees Fathima (F/38/2019) (A1) W/o. Jeyapandi, Om Sakthi Kovil Near, 5 th Street, Pudhu Colony, Subburaj Nagar, Bodinayakkanur. 2. Jeyapandi (M/37/2019) (A2) S/o. Vanaraj, Om Sakthi Kovil Near, 5 th Street, Pudhu Colony, Subburaj Nagar, Bodinayakkanur.
Charges levelled against the accused person	: Against the 1st Accused:- under Sections 120 (B) r/w Section 302 of IPC and 302 IPC Against the 2nd Accused:- under Sections 120 (B) r/w Section 302, 302 r/w Section 109 of IPC
Plea of the accused	: Not guilty

Judgment : In the result,

(i) The prosecution had proved the charges against the 1st accused u/s. 120 (B) r/w Section 302 IPC and 302 IPC and the 2nd accused u/s.120 (B) r/w Section 302, 302 r/w Section 109 of IPC . The accused persons 1 and 2 are heard with regard to the sentence.

13.03.2026

Principal Sessions Judge, Theni.



(ii) The A1 Anees Fathima is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs. 5,000/- in default to undergo further 3 months simple imprisonment for the offence under section 120(B) r/w 302 IPC.

(iii) The A1 Anees Fathima is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs.5,000/- in default to undergo further six months simple imprisonment for the offence under section 302 IPC.

(iv) The A2 Jeyapandi is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs. 5,000/- in default to undergo further 3 months simple imprisonment for the offence under section 120(B) r/w 302 IPC.

(v) The A2 Jeyapandi is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs.5,000/- in default to undergo further three months simple imprisonment for the offence under section 302 r/w Section 109 IPC.

(vi) The sentence is ordered to run concurrently and the accused persons are entitled to the benefit of set- off under section 428 Cr.P.C. for the period of detention until the undergone by them.

(vii) The compensation is ordered under section 357 (A) Cr.P.C., to the children of the deceased person namely Basith Rahman and Nisha Banu and the matter is referred to District Legal Services Authority for follow up action of the payment of compensation to the victim child from the Government. The District Legal Services Authority may co-ordinate for early compensation to the victims.



(vii) No Material objects were marked in this case.

This Sessions Case was coming upon 03.03.2026, for final hearing before me in the presence of Thiru. P. Baskaran, Public Prosecutor for the District on behalf of the State and Thiru. M. Soundarapandiyar, Advocates for the accused person/Legal Aid Defence Counsel and upon hearing both sides arguments, perusing the evidence, documents, the case having stood over for consideration till this date, this Court delivered the following:

J U D G M E N T

The Inspector of Police, Bodi Town Police Station in Cr.No. 959/2019 had laid final report against the accused persons Anees Fathima and Jeyapandi alleging that the de-facto complainant Jailani is the resident of Nagammal Kovil Street, T.V.K.K.Nagar, Bodi doing business in selling vegetables along with his family. Whose younger sister Anees Fathima is the first accused who got married to her husband Beer Mohammed. 20 years prior to the occurrence and resident of Puthur Town in Bodi with daughter and son by name Jameela Beevi and Abibullah.

2. The first accused Anees Fathima is running a petty shop in front of her house and her husband Abibullah suddenly got sick and he could not attend his work and got bedridden. The 2nd accused Jeyapandi, though got married and had children. He had separated from his wife 6 years prior to the occurrence and



maintained an illicit relationship with the first accused Anees Fathima . The said fact had been warned by the deceased person Abibullah with the first accused on several occasions and informed the matter with the complainant Jailani. In order to protect the welfare of the minor children, they have not taken the matter to police station. However, the children were taken by the complainant with him for being maintained. However, the first accused continued her relationship with the second accused person and she felt that the deceased person would be causing hindrance to their peaceful illicit relationship and they intend to get rid of the deceased person.

3. The second accused person is working in farms and he has access to pesticides namely organophosphorus chemical compound which is a poisonous substance predominantly used in pesticides. With the help of second accused, the first accused procured the poisonous substance for the purpose of mixing the same to her husband's food slowly as a slow dose. Due to the said mixture of the poisonous substance to the food of the deceased person, he died on 10.11.2019 at 9.30 am.

4. On ascertaining the same, the first accused ran away from the house and absconded herself. Now after the said incident, the first and the second accused got married together and obtained Aadhaar and voters ID in her name by showing her husband as the second accused and residing at Subburaj Nagar, near to Om



Sakthi temple as family members and begotten a child. In this regard, final report was laid by the respondent police against the accused persons 1 and 2 under Section 302 IPC r/w Section 109 IPC.

5. On the case being taken cognizance by the learned Judicial Magistrate as P.R.C.No.34/2055 on appearance of the accused persons on 23.06.2025 was pleased to commit the matter to this Court for further proceedings. Which was assigned with S.C.No.96/2025. Before the committal Court, the accused persons were furnished to the free copies of the police records as contemplated under Section 207 Cr.P.C., and the learned Judicial Magistrate felt that the cases is exclusively triable by the Court of Sessions and was pleased to commit the case to this Court for further proceedings. By indicating the fact that the accused persons had sufficient means to engage counsel of their choice. However, before this Court, they requested for counsel to be engaged and they were provided with the Legal Aid Defence counsel to defense themselves with the sessions case. On hearing both, the charges were framed against A1 under section 120 (B) r/w Section 302 of IPC and 302 IPC and against A2 under Sections 120 (B) r/w Section 302, 302 r/w Section 109 of IPC.

6. When the contents of the same were read over and explained to the accused persons, A1 had stated that her husband has TB and she was providing treatment to her husband. Her husband had suspected her conduct with the A2 and



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the said fact was known to the society due to which they intend to murder her. She is residing in the very same town by taking out a house for rent along with the second accused person due to the above reasons, however, denied the charges. The second accused had stated that it is an false allegations and incidentally he helped the first accused in her work and the case has been falsely foisted against them.

7. In order to bring home the offence charged against accused persons on side of the prosecution, PW1 to PW15 were examined. Ex. P1 to Ex.P17 were marked. No material objects were marked on the side of the prosecution.

8. The case of the prosecution as elicited from the prosecution witnesses in brief is as follows :-

8 (i) This case arises out of the death of the deceased person Abibullah, which the prosecution alleges to be the result of slow poisoning administered by his wife A1 Anees Fathima in conspiracy with the second accused Jeyapandi, with whom she allegedly maintained an illicit relationship. The prosecution case in brief is that the deceased person Abibullah was residing with the first accused, his wife and two children and mother- in- law Ubaita, the mother of the first accused. In the said house, the first accused was running a petty shop in front of their house and the second accused used to frequently visit the shop on the pretext of purchasing goods.



8 (ii) During the course of such visit, the first accused and the second accused developed an illicit relationship with each other. When the deceased came to know about the same, he objected to their conduct and questioned the first accused. According to the prosecution, the deceased has thus become an obstacle to their relationship. In order to remove the said obstacle to the relationship between A1 and A2 with the view to get rid of the deceased person in order to continue their relationship without interference. A1 and A 2 alleged to have entered into conspiracy to alienate the deceased person by inducing slow poison.

8 (iii) In furtherance to the said conspiracy, A2 who was working in farmhouse had access to organophosphorus insecticide. Which is used for spraying insecticide to the vegetable crops. He procured the same and provided the same to A1. It is alleged that A1 gradually administered the poison to the deceased by mixing the same in his food over a period of time, resulting in deterioration of his health, ultimately leading to his death on the fateful day of occurrence. Initially the death of the deceased person was treated as suspicious death and the case was registered under Section 174 Cr.P.C., by the Sub- Inspector of Police PW.10 Mageshwari as case in Cr.No.959/2019 on the complaint given by the complainant Jailani.



8 (iv) The prosecution case is that the deceased Abibullah was the husband of the first accused Anees Fathima, who was living together in the said house along with her children. The second accused was frequently visiting the petty shop which was run by the first accused in front of her house. During that period, A1 and A2 developed illicit relationship. The deceased came to know about the relationship of A1 and A2 and objected to the same. Due to this, there were frequent disputes in the family. According to the de-facto complainant, he was informed by the deceased person from 2018 that he is addicted to alcohol and consuming liquor frequently. When he was questioned with regard to the same, the deceased had reported to him that the first accused Anees Fathima had developed illicit relationship with the person and her character is not satisfactory.

8 (v) Initially, the complainant did not believe the words of the deceased person and he quarreled with him. Subsequently, he called him over phone on a particular day and the complainant Jailani visited his house during night time at 10.30 hours and noticed the accused persons 1 and 2 seen together in the house of the deceased person in a private place. On seeing the complainant, the second accused ran away from the place of occurrence and she got wild and assaulted the first accused Aneesh Fathima who sustained severe injuries on her head and ear. She went to police station and lodged a complaint against the complainant Jailani,



who had informed the police that she never intended to maintained her children since her conduct has been suspected by the family members.

8 (vi) From then onwards, Basith Rahuman PW3 their son PW 4 Nisha Bhanu children were under the care and custody of Ubaitha PW2, the mother of the host accused, as well as the complainant Jailani. PW1 Jailani had also reported by the deceased person that whenever her wife provides food to him, the food never tastes him and it smells a odd smell. Thereby, he never takes food in the home and the complainant Jailani brought food from outside which is comparatively better to the deceased person.

8 (vii) Similarly, Ubaitha, the mother of the first accused, the mother -in - law of the deceased person also reported that 20 years she was residing in the house of the deceased person and the first accused. Though the first accused is running the petty shop she used to maintain relationship with male members unnecessarily. Which she used to often advise her not to do so with grown up children and she would be quarreld by the first accused in this regard. She had also further stated that the deceased person Abibullah had complained to her that the food provided by the first accused doesn't taste good. Thereby, she used to provide food to him. She had also seen the accused persons having illicit relationship in their house, which she quarreled. She was assaulted by a cooker by the first accused and she left the matrimonial home. From then onwards, Ubaitha, the



mother of the first accused had taken Basith Rahuman, the son of the first accused and the deceased PW3 and PW4 Nisha Banu with her, from where they were attending their college and schools respectively.

8 (viii) PW3 Basith Rahuman, though during 2018 - 2021 was studying in RBS College, Coimbatore. He was informed over phone in 2019 by his father that her mother is often seen chatting over phone and also reported that she is mixing something in his food. He had also stated that her mother relinquished them in the police station in writing stating that she never wants her children. PW4 Nisha Banu, the daughter had stated that one month prior to the occurrence, PW1 assaulted the mother due to the illicit relationship maintained by her. From then onwards, there was a settlement in the police station and she was advised to leave the children. From then onwards, she was residing with her grandmother's house. One day, while she was available in the first accused how she was given sleeping pill in her coffee while she intend to study during night time. Due to the sleeping pill provided, she was not in a position to study and she went to bed early. From then onwards, she stopped taking coffee from the first accused.

8 (ix) Subsequently, upon receipt of the Postmortem, Final Report, as well as the Viscera Report indicating the presence of organophosphorus substance in the internal organs of the deceased person and on receipt of the Pathology Report from the doctor, the investigation was altered to murder and the accused persons



was arrested in 2025 after a period of 7 years and the accused persons confessed about their involvement in the crime. After examining the doctor, who conducted post-mortem, histopathology doctor and other witnesses, the investigating officer laid final report against the accused persons.

8 (x) The Postmortem Doctor in his report had offered no external injuries noticed on the other findings he had noted down.

Heart : Normal and coronary vessels – Atherosclerotic changes.

Hyoid bone – intact

Stomach – contains 50 ml of dark colour fluid with pungent smell and mucosa congested

Lungs – Normal c/s congested

Liver, Spleen, Kidneys and Brain – normal c/s congested

Small intestine – contains 30 ml of dark colour fluid with pungent smell and mucosa congested

Bladder – contains 20 ml of urine

Viscera preserved for chemical analysis report. Reserved opinion for pending chemical analysis. Upon receipt of the histopathology report, chemical analysis report and viscera, the doctor offered opinion that the deceased would have died *due to complications of organophosphorus insecticide poison.*

8 (xi) The pathological doctor Subhatra PW13, in her reported stated that the portion of the heart, brain, kidney, liver were sent for pathology examination.



On examination, it reveals that in the cardiovascular artery. She had noticed presence of fatty substance and portion of the brain was found dead and in the kidney in several portions she had noticed clamorous. No presence of pathology in liver. In this regard she had issued histopathology report (Ex. P10) wherein she had stated that in the portion of the brain both cerebral hemispheres necrotic changes in Deep white matter. Hemisphere NAD found, both brain parenchyma and area of necrosis seen parenchyma with kidney also found with parenchyma with FOCI of Glomerulosclerosis. During cross examination she had stated that generally patient suffering from TB would have symptoms of glaciation in their brain, which would look like cheese like substance in the brain that was not present in the present case. Thereby, the doctor ruled out the possibility of the deceased person die due to tuberculosis and noticed no sign of TB symptoms in the patient's body internal organs.

9. When the accused persons were questioned with regard to the incriminating circumstances made out against them in the evidence of the prosecution witnesses, the same were denied by the accused persons in specific and claimed that a false case has been foisted against them.

10. The first accused stated that she was running a petty shop in front of her house. The second accused used to often visit her shop. However, they never had relationship at the initial point of time. She had stated that her husband was



bedridden due to tuberculosis. He was also addicted to alcohol even though she made attempt to treat her husband in various hospitals. Due to his deteriorating health, he passed away. She was not allowed to see the body of the deceased person and the family members also never cared her. Due to which the second accused Jeyapandi, had arranged for a house for rent in the nearby locality in which she was residing.

11. She had further stated that the complainant and the family members never allowed her to mingle with the other family members due to the fact that she is in alleged to be in relationship with the Hindu boy. Thereby, in the Pallivasal Panchayat she had been relinquished from the community. She now got married to the second accused person and begotten a child and now residing along with him. The first accused claimed that though he visited the petty shop, he never had relationship with the first accused person as alleged. Since, she was alone he had given shelter to him to her and got married in 2021 and residing in the nearby town.

12. The point for determination is :-

Whether the prosecution had proved the charges against the accused persons to the satisfactory extent and whether the accused persons are liable to be convicted for the offences charged ?



13. The learned Public Prosecutor contended that it is a case of poison wherein no concrete evidence can be seen as the occurrence took place in a secret place. The relationship between the parties have been spoken to cogently by the prosecution witnesses. Thereby, the Public Prosecutor prays for conviction of the accused persons.

14. On the other hand, learned counsel for the accused contended that the motive for the occurrence, the preparation, conduct of the accused person were not spelt out. No neighbours examined in this case could speak anything with regard to the same and the prosecution case is not true to the satisfactory extent. Hence, he prays for acquittal of the accused persons.

15. I have given my anxious consideration to the submissions made by both the parties. Before going into the facts of the case, it is necessary to see the position of law on murder by poisoning. Cases of murder by poisoning generally occur in secrecy and seldom admit of direct evidence. Courts therefore frequently have to rely upon circumstantial evidence to determine the guilt of the accused. The law on this aspect have been settled through several judicial pronouncements.

16. It is observed that a case of murder by poisoning is inherently one of secrecy and therefore the prosecution is often required to depend only on circumstantial evidence. However, the circumstances relied upon must be fully



established and must form a complete chain leading only to the hypothesis of guilt of the accused. If any proved circumstance can reasonably be explained on a hypothesis consistent with the innocence of the accused. The benefit of such doubt must necessarily go to the accused. At the same time, while evaluating the evidence, Courts must consider ordinary human probabilities and not indulge in imaginary or speculative possibilities.

17. In the one of the earliest formulation of the principles governing cases of poisoning in *Mt. Gajrani Vs Emperor (AIR 1933 All 394)* three principle facts are ordinarily mandated to be established by the prosecution in a case of murder by poisoning :

- i.** the deceased died of the poison in question.
- ii.** that the deceased had possession of that poison and
- iii.** that the accused had an opportunity to administer the poison to the deceased.

18. If all these elements are proved, the Court may in appropriate circumstances draw a presumption that the accused administered the poison which resulted in the death of the deceased. The Court further observed that direct evidence of administration of poison is rarely available and therefore motive,



though relevant, is of subsidiary importance and cannot substitute proof of possession of poison and opportunity to administer it.

19. The same principles were subsequently reiterated by the Hon'ble Supreme Court in several judgments including judgment in *Mohan -Versus- State of Uttar Pradesh, Anand Chintamani Lagu Vs State of Bombay, AIR 1960 SC 500*. The Hon'ble Supreme Court further held that the evidentiary value of scientific reports. In such cases, is also recognised by law under Section 293 of the Code of Criminal Procedure 1973, which provides that the report of certain scientific experts, including chemical examiners may be used as evidence in any inquiry, trial or proceedings. Ordinarily, the chemical examiner merely reports the result of the chemical analysis and does not opine on the cause of death. The report itself constitutes a piece of evidence and does not require formal proof, though the Court may summon the expert if necessary.

20. In practice, the report of the chemical examiner is usually forwarded to the doctor who conducted the postmortem examination and the medical expert after considering the report along with the autopsy finding, may give an opinion regarding the cause of death. The combined effect of the chemical examiner's report and the medical opinion may therefore be sufficient to conclude that the death was due to poisoning.



21. The Hon'ble Supreme Court further in *Gubendar Singh -Versus- State of Punjab 1988 (3) SCC 513* was pleased to held that even if the prosecution fails to establish direct proof that the accused was in possession of poison such failure would not necessarily be fatal to the prosecution case. Provided the chain of circumstantial evidence clearly points towards the guilt of the accused person. The Hon'ble Supreme Court in *Anand Chintamani Lagu Vs State of Bombay, AIR 1960 SC 500*, emphasised that although the 3 propositions regarding death by poisoning, possession of poison and the opportunity to administrate should always be kept in mind. The sufficiency of the evidence to prove murder by poisoning ultimately depends upon the facts and circumstances of each case. If the circumstantial evidence is so complete and decisive that the Court can safely conclude that the death resulted from the administration of poison and that such poison must have been administered by the accused. The conviction can be sustained even in the absence of direct proof of each individual element.

22. In order to prove the charges against the accused, the prosecution examined several witnesses including the family members of the deceased, neighbours, medical experts and the investigating officers.

23. PW1 Jailani is the defacto complainant and brother-in-law of the deceased. He deposed that the deceased had informed him about the illicit



relationship between A1 and A2. Initially he did not believe the same. However, on one occasion when he went to the house of the deceased during night hours, he found A1 and A2 together in a room. On seeing him, A2 ran away from the place. In that incident PW1 assaulted A1 and a complaint was lodged before the police and the matter was later pacified. PW1 further stated that about a week prior to the occurrence the deceased complained that the food served by A1 had no taste and smelled differently. When PW1 provided food from outside, the deceased was able to taste it properly. On the date of occurrence the deceased was found dead in the house. Suspecting that the death was due to poison, PW1 lodged the complaint.

24. PW2 Ubaida, the mother of A1 and mother-in-law of the deceased, also spoke about the strained relationship between the deceased and A1. She stated that A1 had earlier informed her that she intended to marry A2. PW2 further deposed that the deceased had often complained that the food given by A1 had no taste, whereas the food given from her house tasted normal. PW3 Bisith Rahman, the son of the deceased, stated that while he was studying in college his father informed him over phone that A1 was maintaining an illicit relationship with A2. He also stated that his father complained that the food served by A1 had no taste. PW4 Nisha Banu, the daughter of the deceased, also deposed that whenever she carried food from her grandmother's house the deceased was able to taste it.



However, the deceased complained that the food given by A1 lacked taste. She also spoke about the alleged relationship between A1 and A2. PW5 Pasupathi, PW6 Rafia Beevi and PW7 Sharul Ameen are neighbours of the deceased. These witnesses did not support the prosecution case and were treated as hostile. However, they admitted that the deceased had been suffering from illness and was bedridden prior to his death.

25. PW8 Dr. Gokula Pandya Shankar conducted the post-mortem examination. The doctor stated that the body of the deceased was extremely emaciated and weighed around 30 to 40 kilograms. The lungs were found to be normal and therefore the possibility of death due to tuberculosis was ruled out. Based on the viscera report, the doctor opined that organophosphorus insecticide was detected in the internal organs of the deceased and that death could occur due to slow poisoning by such substance. PW13 Dr. Subathra, the pathologist, also ruled out tuberculosis and stated that the pathological findings indicated toxic damage to the internal organs which could occur due to gradual poisoning. PW14 Meghanathan, the viscera analysis expert, confirmed the presence of organophosphorus insecticide in the organs of the deceased.

26. The investigation was initially conducted treating the case as a suspicious death under Section 174 Cr.P.C. The statements of important



witnesses were later recorded before the learned Judicial Magistrate. PW15 Gopinath, the subsequent Investigating Officer, after examining the medical records and viscera report, altered the section of law and arrested the accused persons. It was also found during investigation that after the death of the deceased A1 and A2 were living together in a rented house in the same locality. After completion of investigation, the final report was filed before the court.

27. The prosecution case rests primarily on circumstantial evidence consisting of (i) motive, (ii) conduct of the accused prior to the occurrence, (iii) medical and scientific evidence establishing slow poisoning, and (iv) subsequent conduct of the accused persons. The oral testimony of the family members of the deceased forms the foundational evidence explaining the surrounding circumstances leading to the death.

28. PW1 Jailani is the brother-in-law of the deceased Basheer Mohammed. His testimony reveals the strained marital relationship between the deceased and the first accused (wife of the deceased). According to PW1, from the year 2018 onwards he noticed that the deceased had begun consuming liquor frequently. When questioned, the deceased disclosed that his wife (A1) was maintaining an illicit relationship with the second accused (A2). Initially PW1 did not believe the allegation and even quarrelled with the deceased regarding the same. However, about a week later, during night hours, the deceased called PW1 to his house.



When PW1 went there, he found A1 and A2 together in a secluded room of the house. On seeing PW1, A2 fled from the place and PW1 assaulted A1. In connection with the said incident, A1 lodged a complaint before the police, and the matter was pacified at the police station. PW1 further deposed that during the said enquiry A1 openly stated that she did not wish to live either with her husband or with her children. PW1 also deposed that about a week prior to the occurrence, the deceased had informed him over phone that the food served to him had no taste and emitted a strange smell. PW1 then provided food from outside, which the deceased was able to taste normally.

29. On the date of occurrence, the deceased was found dead in the house. Entertaining suspicion that the death might have been caused by poison, PW1 lodged the complaint. During inquest also the panchayatdars expressed suspicion regarding the death. PW1 further stated that at the time of the occurrence both A1 and A2 were not present in the house and A1 was absconding. Subsequently it came to light that A1 and A2 had taken a house for rent in the same town and were living together. During cross-examination it was suggested to PW1 that the deceased had consumed poison and committed suicide. It was also suggested that PW1 lodged the complaint out of enmity. PW1 denied the same and stated that despite knowing the illicit relationship earlier, he



had refrained from lodging a complaint considering that the couple had grown-up children.

30. PW2 Ubaida is the mother of A1 and mother-in-law of the deceased. She deposed that her daughter married the deceased about twenty years prior to the occurrence and they lived together for nearly ten years. According to PW2, about one year prior to the occurrence A1 informed her that she intended to marry A2. PW2 quarrelled with A1 over the same. During the enquiry before the police station A1 wrote that she did not want either her husband or her children. PW2 further stated that thereafter the children of A1 were taken under her care and were residing with the complainant. PW2 also deposed that the deceased had frequently complained that the food served by A1 had no taste and emitted an unusual smell. However, whenever food was sent from PW2's house through her grand daughter, the deceased was able to taste it normally. She also spoke about having seen A1 and A2 together in the house on earlier occasions and about quarrelling with them on questioning A1. PW2 further stated that on one occasion A1 had administered sleeping pills in her coffee, causing her to fall asleep. According to PW2, the death of the deceased was caused due to poison administered to him.



31. PW3 is the son of the deceased and A1. He deposed that between 2018 and 2021 he was studying at RVS College, Coimbatore. During 2019 his father informed him over phone that A1 was maintaining an illicit relationship with A2. He further stated that though his father had suffered from tuberculosis earlier, he had recovered two years prior to the occurrence. PW3 also stated that his father complained that the food prepared by A1 had no taste and that something appeared to have been mixed in it. PW3 also deposed that A1 had given a statement at the police station stating that she did not want to live with her children and had thereafter left the house.

32. PW4 is the daughter of the deceased. She stated that about six years prior to the death she had taken her father to the hospital for treatment. Thereafter he was not continuously under medical treatment. She further deposed that one month prior to the occurrence PW1 had assaulted A1 upon discovering the illicit relationship between A1 and A2. Thereafter PW4 started residing with PW1 and PW2. PW4 stated that when she carried food from her grandmother's house to the deceased, he was able to taste it. However, when the food was served by A1, the deceased complained that it lacked taste. She also deposed that PW2 had warned her not to consume coffee given by A1 at night as it contained sleeping pills. PW4 further stated that on one occasion she consumed coffee given by A1 and soon fell asleep, after which she stopped



taking beverages from A1. PW4 also spoke about the illicit relationship between A1 and A2.

33. Though PW1 to PW4 are close relatives of the deceased, nothing substantia was elicited in their cross-examination to show that they were inimically disposed towards the accused persons. Their evidence is consistent and mutually corroborative with regard to :

The illicit relationship between A1 and A2.

- i.** Frequent complaints by the deceased that the food served by A1 had no taste and emitted an unusual smell.
- ii.** Administration of sleeping pills by A1 to family members PW2 and PW4 on certain occasions.
- iii.** The deteriorating health condition of the deceased prior to his death.

Their explanation that they refrained from initiating formal complaints earlier considering the presence of grown-up children appears natural and reasonable. The suggestion put to them that the deceased consumed poison and committed suicide was consistently denied by the witnesses.

34. PW5 Pasupathi, PW6 Rafia Beevi and PW7 Shahul Hameed are neighbours. They turned hostile and did not support the prosecution case.



However, even in their testimony they admitted that the deceased had been bedridden due to illness prior to his death.

35. The post-mortem examination was conducted by PW8 Dr. Gokula Pandya Shankar. The doctor observed that the deceased was extremely emaciated and weighed approximately 30 to 40 kilograms. The lungs were found to be normal and therefore the possibility of death due to tuberculosis was ruled out. Based on the viscera report, PW8 opined that organophosphorus compound, which is an insecticide, was detected in the internal organs. According to the doctor, consumption of such poison in small quantities over a prolonged period could result in death due to slow poisoning.

36. The doctor also stated that if the death had occurred due to tuberculosis, certain pathological changes would have been present in the brain, which were absent in the present case. PW13 Dr. Subathra, Pathologist, also ruled out the presence of tuberculosis. She stated that the pathological findings in the heart, liver and kidneys indicated gradual toxic damage consistent with slow poisoning and could not have developed within a single day. PW14 Meghanathan, the viscera analysis expert, confirmed the presence of organophosphorus insecticide in the internal organs of the deceased.



37. One of the principal contentions raised by the defence during cross-examination of the prosecution witnesses is that the deceased did not die due to poisoning, but that he succumbed to tuberculosis, from which he was allegedly suffering earlier. Therefore, it becomes necessary for this Court to carefully examine the medical and scientific evidence placed on record. The post-mortem examination was conducted by PW8 Dr. Gokula Pandya Shankar. The doctor has clearly stated that at the time of examination the body of the deceased was found to be extremely emaciated and pale, weighing approximately 30 to 40 kilograms. However, upon internal examination, the lungs of the deceased were found to be normal. The doctor has categorically stated that no pathological signs indicating tuberculosis were present in the lungs or in any other internal organs of the deceased. The doctor further stated that if the deceased had died due to tuberculosis, certain characteristic pathological features would ordinarily be present in the organs, particularly in the lungs and brain. However, no such features were noticed during the post-mortem examination. Therefore, the possibility of death due to tuberculosis was ruled out by the doctor. The viscera collected during the post-mortem examination were sent for chemical analysis. PW14, the expert who conducted the viscera examination, confirmed the presence of organophosphorus compound, which is an insecticide, in the internal organs of the deceased.



38. The pathological findings revealed damage to the internal organs such as the heart, liver and kidneys, which according to the expert could not have developed within a single day. The expert has stated that such changes are consistent with the effect of gradual toxic exposure, which supports the theory of slow poisoning.

39. Thus, the medical evidence clearly establishes two important aspects. Firstly, the death of the deceased was not due to tuberculosis. Secondly, the presence of organophosphorus poison in the internal organs indicates that the deceased had been exposed to poison over a period of time.

40. It is also relevant to note that the prosecution witnesses, particularly PW1 to PW4, have consistently stated that though the deceased had suffered from tuberculosis several years earlier, he had recovered from the same and was not under treatment for tuberculosis at the relevant time. Their evidence also reveals that the deceased had been complaining that the food served by A1 had no taste and emitted an unusual smell. When the clear and consistent medical evidence is read along with the oral evidence of the prosecution witnesses, the defence theory that the deceased died due to tuberculosis becomes wholly improbable.

41. In criminal trials, medical evidence plays an important role in testing the truthfulness of rival versions. In the present case, the medical and scientific



evidence unequivocally rules out the possibility of death due to tuberculosis and supports the prosecution case that the deceased died due to ingestion of organophosphorus poison. Therefore, the plea raised by the defence that the deceased died due to tuberculosis cannot be accepted. Thus the medical and scientific evidence clearly establishes that the deceased died due to ingestion of organophosphorus poison over a period of time.

42. The evidence of the investigating officers reveals that initially the case was registered under Section 174 Cr.P.C. as a suspicious death. The post-mortem was conducted soon after the occurrence. Subsequently, in the year 2021, the Inspector of Police submitted a requisition to the learned Judicial Magistrate for recording the statements of witnesses under Section 164 Cr.P.C., and accordingly the statements of PW1 to PW4 were recorded. However, there was no significant progress in the investigation thereafter. In the year 2025, PW15 Gopinath, the subsequent Investigating Officer, after examining the medical evidence and viscera report, altered the section of law and arrested the accused persons. It also came to light that A1 and A2 had taken a house on rent in the same locality and were living together as husband and wife. A1 had shown A2 as her husband in her Aadhaar card and electoral records.



43. Illicit Relationship between A1 and A2, the prosecution has relied upon the motive that the first accused was maintaining an illicit relationship with the second accused and that the deceased had become an obstacle to their relationship.

44. PW1 Jailani, the brother-in-law of the deceased, has deposed that the deceased had informed him that A1 and A2 were maintaining an illicit relationship. Initially he did not believe the same. However, on one occasion when he went to the house of the deceased during night hours, he found A1 and A2 together in a secluded room. On seeing PW1, A2 ran away from the place.

45. PW2 Ubaida, the mother of A1 and mother-in-law of the deceased, also stated that A1 had earlier informed her that she intended to marry A2. This statement of PW2 indicates the intention of A1 to continue her relationship with A2. PW3 and PW4, the son and daughter of the deceased, have also spoken about the strained relationship between their parents and about the allegations made by the deceased regarding the relationship between A1 and A2. Though these witnesses are related to the deceased, nothing has been elicited in cross-examination to show that they had any reason to falsely implicate the accused persons. Thus, the prosecution has established the existence of motive.



46. Another important circumstance relied upon by the prosecution is the consistent complaint made by the deceased that the food served by A1 had no taste and emitted a strange smell. PW1 has stated that about a week prior to the occurrence the deceased informed him over phone that the food served by A1 had no taste. PW1 further stated that when he provided food from outside, the deceased was able to taste it normally. PW2, the mother-in-law of the deceased, has also stated that whenever food was sent from her house through her granddaughter, the deceased was able to taste it properly. PW4, the daughter of the deceased, has also corroborated the same by stating that when she carried food from her grandmother's house the deceased could taste the food, whereas he complained that the food prepared by A1 had no taste. These consistent statements from different witnesses indicate that something unusual was being mixed in the food served by A1 to the deceased.

47. The evidence of PW1 to PW4 also reveals that the health condition of the deceased gradually deteriorated over a period of time. The deceased became extremely weak and eventually bedridden. This circumstance assumes significance in light of the medical evidence which suggests slow poisoning. The evidence of the witnesses shows that the deterioration of health was gradual and not sudden, which is consistent with the prosecution theory of administration of poison over a period of time.



48. The medical evidence in the present case is clear and consistent. PW8, the post-mortem doctor, has stated that the lungs and other organs did not show any signs of tuberculosis. Therefore, the possibility of death due to tuberculosis was ruled out. The viscera report confirmed the presence of organophosphorus insecticide in the internal organs of the deceased. PW13, the pathologist, also ruled out tuberculosis and stated that the damage found in the internal organs indicated toxic effects which could occur due to gradual poisoning. PW14, the viscera expert, confirmed the presence of organophosphorus poison in the organs of the deceased. Thus, the medical and scientific evidence conclusively establishes that the deceased died due to poisoning and not due to tuberculosis.

49. The prosecution has also shown that the second accused was an agriculturist. Organophosphorus compounds are commonly used as insecticides in agricultural activities. Therefore, the second accused had easy access to such poison. According to the prosecution case, the poison was procured by A2 and supplied to A1. This circumstance supports the prosecution theory regarding the manner in which the poison could have been obtained.

50. The conduct of the accused persons after the death of the deceased is another relevant circumstance. The evidence shows that after the occurrence A1 and A2 were not present in the house. Subsequently it came to light during investigation that they had taken a house for rent in the same locality and were



living together. It has also been brought on record that A1 had shown A2 as her husband in official documents such as Aadhaar card and electoral records. Such conduct of the accused persons soon after the death of the deceased lends support to the prosecution case regarding their relationship and the motive behind the crime.

51. The defence suggested during cross-examination that the deceased consumed poison himself and committed suicide. However, no material has been placed before the Court to substantiate this suggestion. On the contrary, the evidence of the prosecution witnesses shows that the deceased had been complaining that the food served to him had no taste. This circumstance indicates that the poison was administered through food rather than voluntarily consumed by the deceased. Therefore, the theory of suicide appears to be only as suggestion made during cross-examination without any supporting evidence.

52. From the discussion of the above circumstances, the following facts stand established :

- (i) The first accused was maintaining an illicit relationship with the second accused.
- (ii) The deceased had objected to the said relationship.



(iii) The deceased repeatedly complained that the food served by A1 had no taste and smelled unusual.

(iv) The health condition of the deceased gradually deteriorated and he became bedridden.

(iv) Medical and scientific evidence proves that the deceased died due to organophosphorus poisoning and not due to tuberculosis.

(vi) The second accused had access to organophosphorus insecticide.

(vii) After the death of the deceased, A1 and A2 started living together as husband and wife.

These circumstances, when taken together, form a chain pointing towards the involvement of the accused persons in causing the death of the deceased.

53. From the evidence of the investigating officers, it is seen that the occurrence took place in the year 2019 and the death of the deceased was initially treated as a suspicious death under Section 174 Cr.P.C. The body of the deceased was subjected to post-mortem examination and the viscera was also sent for chemical analysis.

54. However, the investigation did not progress with the promptness expected in a case involving suspicious death. It is brought to the notice of this Court that the statements of important witnesses were recorded before the learned Judicial Magistrate only in the year 2021, nearly two years after the



occurrence. Even thereafter, there was no substantial progress in the investigation for a considerable period of time. Ultimately, it was only in the year 2025 that PW15, the subsequent Investigating Officer, after examining the medical evidence and viscera report, altered the section of law and proceeded to arrest the accused persons. Such delay in investigation in a case involving suspicious death is certainly not desirable. In matters where poisoning is suspected, the investigation must be conducted with greater diligence and urgency so as to secure relevant evidence at the earliest point of time. Another aspect which deserves mention is that during the course of investigation the investigating officer was unable to examine several neighbouring witnesses who were residing near the place of occurrence. The evidence on record shows that the house where the deceased and the first accused were residing originally belonged to Waqf property and that subsequently the property along with several surrounding houses was demolished. As a result of such demolition, the residents of that locality had shifted to different places. Due to this circumstance, the investigating officer could not trace many of the neighbours who were residing in the locality at the time of occurrence. Because of the above situation, the prosecution could examine only a few neighbouring witnesses and even those witnesses turned hostile. Thus, the Court is left primarily with the evidence



of the family members of the deceased along with the medical and scientific evidence.

55. Nevertheless, it is well settled that lapses or delay in investigation by themselves do not automatically render the prosecution case false, particularly when reliable evidence is otherwise available on record. Deficiencies in investigation cannot be taken advantage of by the accused when the substantive evidence placed before the Court establishes the relevant facts.

56. In the present case, though the investigation suffered from delay and certain shortcomings, the medical evidence and the consistent testimony of the family members of the deceased remain available for consideration. Therefore, the Court has to assess the prosecution case on the basis of the evidence that has been placed before it, without being unduly influenced by the lapses in investigation. At the same time, this Court cannot refrain from observing that the investigation could have been conducted in a more prompt and systematic manner. Timely collection of evidence and examination of witnesses would have strengthened the prosecution case and assisted the Court in arriving at a conclusion without difficulty.

57. The defence has attempted to discredit the testimony of the prosecution witnesses, particularly PW1 to PW4, who are close relatives of the deceased.



However, this Court finds no acceptable reason to discard their evidence merely on the ground that they are related to the deceased. PW1 is the brother-in-law of the deceased, PW2 is the mother of the first accused and mother-in-law of the deceased, while PW3 and PW4 are the son and daughter of the deceased and the first accused. These witnesses are closely connected to both the deceased as well as the first accused. Therefore, it cannot be lightly assumed that they would falsely implicate the first accused without any valid reason. In fact, PW2 being the mother of the first accused would ordinarily be expected to support her daughter rather than depose against her. Further, nothing substantial has been elicited during the cross-examination of these witnesses to establish any prior enmity or motive for them to falsely implicate the accused persons. Their evidence regarding the strained relationship between the deceased and the first accused, the illicit relationship between A1 and A2, and the complaints of the deceased regarding the food served to him has remained consistent. On the other hand, the defence itself has taken inconsistent and contradictory stands. At one stage, it was suggested that the deceased died due to tuberculosis. At another stage, it was suggested that the deceased himself consumed poison and committed suicide.

58. These two stands taken by the defence are mutually destructive. If the death had occurred due to tuberculosis, the question of the deceased consuming poison for committing suicide would not arise. Conversely, if the deceased had



committed suicide by consuming poison, the plea of death due to tuberculosis cannot stand. Such contradictory suggestions made during cross-examination clearly weaken the defence case and show the absence of a definite and consistent defence theory.

59. Moreover, the medical and pathological evidence on record has clearly ruled out the possibility of death due to tuberculosis. The viscera report confirms the presence of organophosphorus poison in the internal organs of the deceased.

Therefore, the plea that the deceased died due to tuberculosis cannot be accepted. Similarly, there is no material placed before the Court to show that the deceased had voluntarily consumed poison with an intention to commit suicide.

60. In the absence of any plausible explanation from the defence and in view of the consistent oral evidence of PW1 to PW4 supported by medical and scientific evidence, this Court finds no reason to discard the testimony of the family witnesses.

61. This Court finds that from the evidence of the family members reveals that A1 was in relationship with A2 and they used to meet in the house of A1 which had been complained by the deceased person. The deceased person was immobilised due to his illness and his health condition deteriorated day by day. The photo produced by the postmortem doctor would reveal that the health



condition of the deceased person on the last day of his death. So, a person of 40 years while he died, he was in a such a bad condition with a very feeble body condition. The first accused being his wife had never cared for his wellbeing and did not take him to any hospital. According to PW4 she had stated that only 6 years ago her father was taken for treatment. He recovered from tuberculosis and was attending his day to day work. Under such circumstances, no ordinary prudent man as a wife of the deceased person would be leaving her husband in the deathbed attending her private affairs without taking him to hospital and on the date of death she was not available and she absconded himself from the clutches of law. Now after the incident, she married the second accused and begotten a child and living separately with Aadhaar card and Election card with the name of the second accused person shown as her husband. These circumstances would indicate that the accused persons 1 and 2 conspire together to done away the deceased person as he was causing hindrance to the peace living of the first and the second accused. Thereby, the conspiracy of A1 and A 2 have been proved through their conduct. A2 had access to the poisonous substance organophosphorus pesticide, which he had given it secretly to the first accused and she was providing food to the deceased person, who was slowly mixing the poisonous substance to his food and ultimately the deceased person died.



62. It is held by *the Hon'ble Supreme Court in Tara Singh Vs State through Home Secretary, Uttarakhand, 2014 (3) Scale 367, as well as in Dharam Deo Yadav Vs State of Uttar Pradesh, 2014 (5) SCC 509*, that in a case of murder by poison, it is invariably committed under the cover and cloak of secrecy. Nobody will administer poison to another in the presence of others. He who administers poison in secrecy obviously will not keep a portion of it for the Investigating Officer to come and collect it. The person committing such murder would naturally take care to eliminate and destroy the evidence against him in such cases. It would be impossible for the prosecution to prove the possession of poison with the accused. The prosecution may, however, establish other circumstances consistent only with the hypothesis of the guilt of the accused and the court then would not be justified in acquitting the accused on the ground that the prosecution had failed to prove possession of poison with the accused. Where the accused had a strong motive to get rid of the wife for her inability to satisfy his demand for dowry and the death was not accidental or suicidal and there was no reason for her to commit suicide and it was also not a death by food poisoning since the accused and the deceased shared the common food on the fateful night and there was none else in the house on that night except the deceased and the accused and the accused had an opportunity to accomplish his design and he must have administered the poison to the victim. The same indicates that the victim had



made resistance due to which she sustained injury on her body. The Chemical Examiner's report revealed Organophosphorus compound and that was given as the cause of the death by the doctor, who conducted the autopsy. The circumstantial evidence including running away from the house of the accused at the time when the Investigating Officer visited his house, the circumstances were all consistent with the guilt of the accused and not with his innocence.

63. By applying the above ratio laid down to the case in hand, this court finds that the prosecution had abundantly proved the case through the evidence let in, that the first accused was residing under one roof with the victim during the relevant time and she was cooking on behalf of the family members and the deceased person was provided with the food which ultimately resulted in his death. Nothing happened to the accused person/A1 on the particular day. She was absent on the date when the deceased person died and her whereabouts were not properly explained by the accused person before the court. The body of the deceased person after post-mortem was handed over to the complainant. The first accused person was thereafter found in company of the second accused person in a rented house since 2019, living together as husband and wife by the first accused marrying the second accused person.

64. It is not the case of the defense that it is a food poisoning due to which the deceased person died and the theory put forth by the defence that the deceased



died due to Tuberculosis had been ruled out by the post-mortem doctor as well as by the pathology doctor and the chemical report, viscera report, pathology report and the doctor who offered final opinion had stated that the deceased died due to poisonous substance. They offered opinion consistently that there is a possibility of slow poisoning being provided the deceased which would ultimately cause his death.

65. The suggestion put forth by the defence to some of the family members that the deceased himself had consumed poison and committed suicide had been falsified by the prosecution witnesses examined before the court. Under such circumstances, the prosecution had proved the fact that the accused have accomplished her design in collusion with the second accused person by administering the poison to the victim and due to which he died.

66. The failure on the part of the Investigating Officer to examine the neighbors, to collect the call details of the accused persons 1 and 2 and to investigate on the aspect with respect to the second accused's role in purchasing the poisonous substance. The same had been explained by the subsequent Investigating Officer stating that the house where the first accused was residing with a petty shop run by her was subsequently demolished in 2019 after the incident due to eviction of unauthorized occupants from the Waqf property along with 150 inhabitants in the said locality. Thereby, the police had stated that nobody



was available in the place of occurrence for being examined by the subsequent Investigating Officer and no evidence is available.

67. The above judgments referred would amply make the legal position clear that the murder by poison is invariably committed under cover and cloak of secrecy and the assailant would administer poison in secret and would also destroy the material without leaving the same to be investigated by the Investigating Officer. Thereby, the contention by the defense that no materials were collected by the Investigating Officer after lapse of six years cannot be sustained.

68. The *Hon'ble Supreme Court in another case in Anand Chintamani Lagu Vs State of Bombay, AIR 1960 SC 500 and Ram Gopal Vs State of Maharashtra 1972 (4) SCC page number 625*, in a case where the deceased was an elderly widow who was residing in Pune. At the time of her death, she was moderately rich and possessed quite a large sum of money in her bank account and holding several shares and securities in the companies. She was suffering from chronic tuberculosis and diabetes and the accused was her medical advisor. At the time of her death, she was receiving treatment and her ailments were fairly under control. The accused / her medical advisor was charged for murdering her during a journey by a night train from Pune to Bombay by administering to her some unknown poison which was not detected. The evidence in the case was entirely circumstantial and consisted mainly of items of evidence regarding his conduct



before and after her death, which came to light more than a year after her murder. On appeal to the Supreme Court, the Hon'ble Supreme Court, on perusal of the evidence on record was pleased to hold that the circumstantial evidence had left no scope for the hypothesis consistent with the innocence of the accused, convicted the accused of murdering the lady.

69. The *Hon'ble Supreme Court in Mahabir Mandal And Others Vs State Of Bihar, 1972 MLJ Criminal 291*, the Supreme Court was pleased to hold that despite failure to isolate the poison and identify it in case of murder by poisoning, it would not throw out the entire prosecution case if the guilt of the accused is clearly proved by the circumstances.

70. In this case also, similar plea of death due to Tuberculosis was taken by the defence. However, the said plea was ruled out by the prosecution witnesses in their evidence to the effect that six years prior to the occurrence, the deceased person, though was suffering from tuberculosis, he regained from his illness and was pursuing his normal work by attending his lemon merchant business. Due to the slow poison provided by the accused person, the health condition of the deceased person got deteriorated and he passed away. While he is in mortuary, the photograph taken by the post-mortem doctor would reveal that the body condition of the deceased was so bad that he was not in a position to move from his bed. The doctor who conducted post-mortem on the body of the deceased person had taken



out the samples from the lungs, kidney, liver, heart, etc., which was sent for pathology report. It does not reveal any evidence of the person having Tuberculosis. The doctor who conducted post-mortem also never noticed any sign of Tuberculosis in his lungs. He had also stated that if a person suffers from Tuberculosis, there would be sign in his brain, which is conspicuously absent in the present case.

71. The same would reveal that there is no sign of death due to tuberculosis, which the defence could not make out during cross-examination of the post-mortem doctor as well as the pathology doctor. Thereby, the prosecution had proved the fact that the death is due to poisonous substance, which A2 who is working in farm has access to the pesticides namely containing Organophosphorus and through which he had handed over the same to first accused. Slowly it was provided to the deceased person in his food, which he had complained to the family members that he was not in a position to taste the food and the same smells badly.

72. Thereby, the prosecution had proved that the accused persons 1 and 2 acted in conspiracy aided by the second accused person abetting the crime by providing the insecticide and through which the A1 had provided the poison to the deceased person in his food and caused his death. Hence, the charges against the



accused persons were proved to the satisfactory extent and the accused persons are convicted accordingly.

73. The accused persons pleaded innocence and they prays for leniency. However, considering the fact that the deceased person was murdered by the accused person 1 and 2, A1 being his wife and A2 being a Paramour in illicit relationship, this Court finds that appropriate sentence has to be imposed on A 1 and A 2.

In the result,

(i) The prosecution had proved the charges against the 1st accused u/s. 120 (B) r/w Section 302 IPC and 302 IPC and the 2nd accused u/s.120 (B) r/w Section 302, 302 r/w Section 109 of IPC . The accused persons 1 and 2 are heard with regard to the sentence.

(ii) The A1 Anees Fathima is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs. 5,000/- in default to undergo further 3 months simple imprisonment for the offence under section 120(B) r/w 302 IPC.

(iii) The A1 Anees Fathima is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs.5,000/- in default to undergo further six months simple imprisonment for the offence under section 302 IPC.



(iv) The A2 Jeyapandi is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs. 5,000/- in default to undergo further 3 months simple imprisonment for the offence under section 120(B) r/w 302 IPC.

(v) The A2 Jeyapandi is sentenced to undergo **LIFE** imprisonment and to pay fine of Rs.5,000/- in default to undergo further three months simple imprisonment for the offence under section 302 r/w Section 109 IPC.

(vi) The sentence is ordered to run concurrently and the accused persons are entitled to the benefit of set- off under section 428 Cr.P.C. for the period of detention until the undergone by them.

(vii) The compensation is ordered under section 357 (A) Cr.P.C., to the children of the deceased person namely Basith Rahman and Nisha Banu and the matter is referred to District Legal Services Authority for follow up action of the payment of compensation to the victim child from the Government. The District Legal Services Authority may co-ordinate for early compensation to the victims.

(vii) No Material objects were marked in this case.

Dictated to the Steno-Typist, taken by her in shorthand, transcribed and typed by her with the help of voice recorder, and Microsoft 365, corrected and pronounced by me, in the open court, this the 13th day of March - 2026.

**Principal Sessions Judge,
Theni.**

**List of witnesses examined on the side of prosecution :-**

PW1	19.01.2026	Thiru. Jailani/Complainant
PW2	19.01.2026	Tmt. Ubaitha/Complaint witness
PW3	19.01.2026	Thiru. Basith Rahman/ Inquest witness
PW4	19.01.2026	Selvi. Nisha Banu/Eye witness
PW5	19.01.2026	Tmt. Pasupathi/Hearsay witness
PW6	19.01.2026	Tmt. Rafiya Beevi/Hearsay witness
PW7	19.01.2026	Thiru. Sahul Hameed/ Observation Mahazar witness
PW8	20.01.2026	Dr.Thiru.Gokula Pandia Shankar/Expert witness, Assistant Professor in Forensic Medicine, Theni Government Medical College, Theni.
PW9	20.01.2026	Thiru.Jose/Confession witness
PW10	20.01.2026	Tmt. Maheshwari / Sub-Inspector of Police
PW11	20.01.2026	Thiru. Shajakhan / Inspector of Police
PW12	27.01.2026	Thiru. Saravanan/ Inspector of Police
PW13	03.02.2026	Dr.Subathra/Associate Professor, Theni Government Medical College, Theni.
PW14	16.02.2026	Thiru. Meganathan / Other witness
PW15	18.02.2026	Thiru. Gobinath / Inspector of Police

List of documents marked on the side of prosecution :-

Ex.P1/PW1	10.11.2019	Complaint
Ex.P2/PW1	28.10.2021	Only signature of PW1 Jailani in 164 Cr.P.C. Statement
Ex.P3/PW2	28.10.2021	Only signature of PW2 Ubaitha in 164 Cr.P.C. Statement



Ex.P4/PW3	28.10.2021	Only signature of PW3 Basith Rahman in 164 Cr.P.C. Statement
Ex.P5/PW4	21.12.2021	Only signature of PW4 Nisha Banu in 164 Cr.P.C., Statement
Ex.P6/PW	10.11.2019	Observation Mahazar
Ex.P7/PW8	10.11.2019	Postmortem Certificate
Ex.P8/PW8	27.05.2020	Viscera Report
Ex.P9/PW8	07.10.2020	Final Opinion
Ex.P10/PW8	21.03.2020	Histopathology Report
Ex.P11/PW8	--	Photo-1
Ex.P12/PW9	26.02.2025	2 nd signature in confession statement of Accused No.1
Ex.P13/PW9	26.02.2025	2 nd signature in confession statement of Accused No.2
Ex.P14/PW10	10.11.019	First Information Report
Ex.P15/PW11	10.11.2019	Rough Sketch
Ex.P16/PW11	11.11.2019	Inquest Report
Ex.P17/PW15	25.02.2025	Section Alteraion Report

List of material object marked on the side of prosecution :-

-Nil-

List of witnesses, documents and material objects on the side of the side defence :-

-Nil-

**Principal Sessions Judge,
Theni.**



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mobile application download from Play Store.*

S.C. No.96/2025

Principal Sessions Court,
Theni.
Fair/Draft Judgment in
S.C. No. 96/2025
Dated : 13.03.2026