

**IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
UTHUKULI**

Present : Thiru. B.Dharaneether. B. A., L L M.,
District Munsif cum Judicial Magistrate,
Uthukuli.

Dated : Friday, the 27th day of March 2026

C.C. No. 76 of 2025

(CNR No.TNTI23-002366-2025)

The State Rep. By,

The Inspector of Police, Kunnathur P.S

Cr.No.266 of 2025

U/sec. 304 (2) of BNS

Complainant

Vs

Tr.Abilash (Abdul Rahman) (30 of 2025)

S/o.Manohar

Accused

CASE SUMMARY

1.	PERIOD OF REMAND OF ACCUSED	:	Accused custody till date 12.07.2025 – 27.03.2026	
2.	DATED OF FILING OF COMPLAINT	:	08.07.2025	
3.	DATE OF QUESTIONING OF ACCUSED UNDER SECTION 230 OF BNSS	:	16.09.2025	
4.	CRIMINAL MISCELLANEOUS PETITION D.O.F RESULTS – FURTHER PROCEEDINGS AND RESULTS THERE OF (EXCEPT 317 PETITIONS)	:	Nil	
5.	DATE OF EXAMINATION IN CHIEF AND CROSS EXAMINATION OF	:	CHIEF	CROSS
	PW1 – Tmt.Poongodi	:	20.01.2026	20.01.2026
	PW2 – Tr.Moorthy	:	20.01.2026	20.01.2026
	PW3 – Tr.Nataraj	:	20.01.2026	20.01.2026

	PW4 – Tr. Rajendran	:	22.01.2026	22.01.2026
	PW5 – Tr. Loganathan	:	22.01.2026	22.01.2026
	PW6 – Tr. Rathinakumar	:	22.01.2026	22.01.2026
	PW7 – Tr. Senthilnathan	:	27.01.2026	09.02.2026
	PW8 – Tr. Ravikumar	:	17.02.2026	17.02.2026
	PW9 – Tr. Santhoshvel	:	20.02.2026	20.02.2026
	PW10 – Tr. Eswaran	:	03.03.2026	03.03.2026
	PW11 – Tmt. Suseela	:	04.03.2026	04.03.2026
6.	DATE OF EXAMINATION OF ACCUSED U/S 351(1)(b) OF BNSS	:	04.03.2026	
7.	DATE OF ABSCONDANCE AND APPEARANCE / SURRENDER/ PRODUCTION	:	Accused custody till date 12.07.2025 – 27.03.2026	
8.	STAY BY SUPERIOR COURTS AND RESULTS THEREOF	:	Nil	

This case having coming up on 27.03.2026 for final hearing before me in the presence of Tmt. Hema, B.A.,B.L., Assistant Public Prosecutor Grade I appearing for State and accused appearing and contesting as party-in-person. Upon perusing the connected material records and having stood over till this day for consideration, this court delivers the following.

JUDGMENT

The accused now before this Court stood charged for the offence punishable under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023, on the allegation that on 08.07.2025 at about 08.15 hours, on the Adiyur Road near Chinnaiyan Goundan Valasu, he, along with another person who is a juvenile in conflict with law, by using a Yamaha R15 motor cycle, committed snatching of a gold chain weighing about two

sovereigns from the neck of the defacto complainant P.W.1 Poongodi, while she was proceeding to her workplace.

2. It is pertinent to state that the other accused involved in the occurrence is a juvenile and his case has been dealt with separately before the Juvenile Justice Board. Therefore, the present trial is confined only to the accused Abdul Rahman @ Abilash, now facing trial before this Court.

3. On appearance of the accused before this Court, copies of documents were furnished to him under Section 230 of BNSS. Upon hearing both sides and on perusal of records, charge under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023 was framed against the accused. The charge was read over and explained to him in Tamil. The accused denied the charge and claimed to be tried. Since, the accused was in custody and appearing as party-in-person from prison, where no electronic media is permitted, the CCTV footages were played in open court before accused whenever required.

4. In order to substantiate its case, the prosecution examined eleven witnesses as P.W.1 to P.W.11, marked documentary evidence and produced material objects.

5. After completion of prosecution evidence, when the accused was questioned under Section 351(1)(b) BNSS with regard to the incriminating circumstances appearing against him, he denied the same as false and did not choose to examine any witness nor mark any document on his side.

The case of the prosecution, as unfolded through the evidence of the prosecution witnesses, is briefly stated as follows:

6. On 08.07.2025 at about 08.15 hours, P.W.1 Poongodi, who was residing at Chinnaiyan Goundan Valasu and employed in a company, was proceeding on foot to her workplace through Adiyur Road. At that time, a Yamaha R15 motor cycle of black and white colour, with two persons, came from the opposite direction. After crossing P.W.1, the said vehicle turned back and approached her from behind, and the person seated in the rear seat suddenly snatched the gold chain weighing about two sovereigns from her neck and both of them fled away from the place.

7. Immediately after the occurrence, P.W.1 raised alarm, upon which P.W.2 Moorthy and one Nataraj rushed to the spot. They attempted to chase the offenders, but could not apprehend them. Thereafter, P.W.1 proceeded to Kunnathur Police Station and lodged a written complaint. P.W.8 Ravikumar, Head Constable, received the complaint and registered a case in Crime No.266 of 2025 under Section 304(2) of the Bharatiya Nyaya Sanhita and forwarded the First Information Report to the Court.

8. The investigation was initially taken up by P.W.10 Eswaran, the then Sub-Inspector of Police, Kunnathur Police Station. He visited the place of occurrence, examined witnesses including P.W.1 and P.W.2, and prepared observation mahazar and rough sketch in the presence of witnesses. During the course of investigation, he took steps to collect CCTV footage from various locations near the place of occurrence and along the suspected route of escape.

9. P.W.9 Santhosh Vel, Police Constable, on the instructions of the Investigating Officer, collected CCTV footage from different places, including near the scene of occurrence and other points along the route. Upon analysis of the said footage, it was noticed that a Yamaha R15 motor cycle with two persons was moving along the relevant route at the time proximate to the occurrence.

10. On 11.07.2025, P.W.10 Eswaran along with police party was engaged in vehicle checking at Semmandampalayam check post. At that time, the accused who came in a Yamaha R15 motor cycle attempted to evade the police. On suspicion, he was intercepted and secured. In the presence of witnesses including P.W.5 Loganathan, the accused was enquired and he gave a voluntary statement disclosing his involvement in the occurrence and further stated that the stolen gold chain had been pledged in a finance shop at Vadavalli.

11. Based on the said information, P.W.10 Eswaran proceeded along with the accused and police party to Konar Finance, Vadavalli, Coimbatore. There, P.W.7 Senthilnathan, who was working as a staff in the said finance shop, produced the gold chain which had been pledged by the accused on 08.07.2025 after obtaining his identification details and issuing a receipt. The said gold chain was recovered under mahazar in the presence of witnesses.

12. The recovered chain was subsequently shown to P.W.1 Poongodi, who identified the same as her stolen property. Further, P.W.6 Rathinakumar, the owner of the Yamaha R15 motor cycle, identified the said vehicle as his vehicle which had

been stolen on the previous day. After completion of initial investigation, the case was taken up for further investigation by P.W.11 Susheela, Inspector of Police, who, after examining the remaining witnesses and collecting necessary materials including certification for electronic evidence, filed the final report against the accused for the offence under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023.

Summary of prosecution of evidence:

13. P.W.1 Poongodi, the defacto complainant, has deposed that on 08.07.2025 at about 08.15 a.m., while she was proceeding on foot along Chinnaiyan Gounden Valasu – Adhiyur Road to attend her work, two persons came on a black and white Yamaha motorcycle, crossed her and immediately took a U-turn and approached her from behind, whereupon the pillion rider suddenly snatched the gold chain weighing about two sovereigns from her neck and both fled away on the said motorcycle. She has further stated that the pillion rider was of stout build and was wearing a black full-sleeve shirt with white floral design, while the rider was lean and wearing a black shirt. On raising alarm, P.W.2 Moorthy and P.W.3 Nataraj rushed to the spot and attempted to chase the offenders, but they could not apprehend them.

14. She has further deposed that on the same day at about 09.00 a.m., without delay, she went to Kunnathur Police Station and lodged a written complaint, which has been marked as Ex.P1. She has also stated that on 11.07.2025, she was called to the police station, where the stolen chain was shown to her and she identified the same as her property. She has further deposed that she obtained interim custody of the

chain through Court and has identified the photograph of the same marked as Ex.P2. She has also identified the accused present before the Court as the person who snatched her chain and has further identified the persons seen in the CCTV footage travelling in the Yamaha R15 motorcycle as the offenders involved in the occurrence.

15. In the cross-examination, P.W.1 has fairly admitted that she was alone at the time of occurrence and that the offenders were wearing masks, due to which she could not clearly see their full faces. She has further admitted that she had not mentioned specific details regarding the mask or distinct facial features of the offenders either in her complaint or in her earlier statement and that she did not produce any documentary proof such as purchase receipt of the chain at the time of lodging the complaint. She has also stated that she identified the chain among two or three jewels shown to her by the police. However, she has consistently maintained that she was able to identify the accused based on his body structure, hairstyle and partially visible facial features. She also testified that the Yamaha R15 motorcycle used by the offenders didn't bear any number plate. She has denied the suggestion that no such occurrence took place or that she is deposing falsely at the instance of the police.

16. P.W.2 Moorthy, an occurrence witness, has deposed that on 08.07.2025 at about 08.15 a.m., while he along with P.W.3 Nataraj was returning after morning walking exercise, he heard P.W.1 raising alarm that her chain had been snatched. On hearing the same, he rushed towards the spot and saw two persons fleeing on a

Yamaha motorcycle. He has further stated that he and P.W.3 attempted to chase the said persons, but could not secure them. He has also stated that police came to the spot shortly thereafter and conducted enquiry. He has further deposed that on 11.07.2025, he went to the police station where he identified the accused and another person as the persons involved in the occurrence and has identified the accused before the Court as the pillion rider. He has also identified the persons seen in the CCTV footage as the offenders.

17. In the cross-examination, P.W.2 has admitted that he knew P.W.1 only for about one year and that the offenders were wearing masks. He has further admitted that he had not mentioned details such as mask colour, age or other specific identifying features of the offenders in his earlier statement and that he had informed the police that he could identify the offenders only to some extent if seen again. However, he has consistently maintained that he can identify the accused based on his physique and appearance and has denied the suggestion that he is falsely deposing in support of P.W.1.

18. P.W.3 Nataraj, another occurrence witness, has deposed in corroboration of P.W.2, stating that on hearing the alarm raised by P.W.1, he rushed to the spot and attempted to chase the offenders along with P.W.2, but they could not apprehend them. He has further stated that police came to the spot and conducted enquiry and that on 11.07.2025, he went to the police station where he identified the accused and another person as the persons involved in the occurrence. He has identified the

accused before this Court as the pillion rider and has also identified the motorcycle and the persons seen in the CCTV footage as those involved in the occurrence.

19. In the cross-examination, P.W.3 has admitted that he knew P.W.1 and P.W.2 earlier and that the offenders were wearing masks, and he could not note the registration number of the vehicle. He has further stated that there were no shops at the immediate place of occurrence and that houses were situated at some distance. However, he has maintained his version and identification of the accused based on physical appearance and has denied the suggestion that he is falsely deposing.

20. P.W.4 Rajendran, a witness to the observation mahazar, has deposed that on 08.07.2025 at about 09.15 a.m., on seeing a crowd gathered at the place of occurrence, he went there and found P.W.1 crying and stating that her chain had been snatched. He has further stated that police came to the spot at about 10.00 a.m. and, on P.W.1 identifying the place, prepared the observation mahazar and rough sketch in his presence and obtained his signature, which he has identified in Ex.P3. In the cross-examination, he has admitted that he is acquainted with P.W.1 and that he did not witness the occurrence. He has also stated that he was unaware of the contents of the mahazar. However, he has maintained that he signed the document at the place of occurrence.

21. P.W.5 Loganathan, a witness to arrest and recovery, has deposed that on 11.07.2025 at about 08.00 a.m., while he was at Semmandampalayam check-post, two persons came on a Yamaha R15 motorcycle and attempted to escape on seeing

the police, but were apprehended. He has further stated that on enquiry, they disclosed their involvement in the chain snatching and that the stolen chain had been pledged in a finance shop at Vadavalli. He has identified the accused as one of the apprehended persons and has further stated that the motorcycle, footwear and pawn receipt were seized in his presence under mahazar, in which he has signed.

22. In the cross-examination, P.W.5 has admitted that he did not know the complainant or other witnesses earlier and that he did not know the full contents of the documents in which he signed. He has also expressed ignorance regarding the detailed contents of the confession and subsequent investigation. However, he has consistently maintained the factum of apprehension and seizure in his presence. He also confirmed that R15 vehicle seized from accused didn't bear any registration plate.

23. P.W.6 Rathinakumar, the owner of the motorcycle, has deposed that his Yamaha R15 bearing Registration No. TN 42 AZ 1550 was stolen from his residence on 07.07.2025 and that on 11.07.2025, he was informed by the police and identified the recovered vehicle based on its chassis number. He has further stated that he obtained custody of the vehicle through Court and has identified its photographs. In the cross-examination, he has admitted that he did not witness the theft and had no direct knowledge as to who committed the theft.

24. P.W.7 Senthilnathan has deposed that he was working as a clerk at Konar Finance, Vadavalli, Coimbatore District. He has stated that he knows the accused. He

has further deposed that on 08.07.2025, between 12.00 noon and 01.00 p.m., the accused came to the shop and pledged a gold chain weighing about 15 grams for a sum of Rs.75,000/-. At that time, the accused produced his Aadhaar identity, signed in the bill book, and obtained a receipt issued by P.W.7. He has identified the said Ext.P6 receipt and his signature therein.

25. P.W.7 has further deposed that on 11.07.2025, the police, along with the accused, came to the finance shop and enquired whether the accused had pledged any jewel. On verification of records, he confirmed the transaction, and the shop owner produced the pledged chain, which was seized by the police under mahazar in his presence. He has identified his signature in the seizure mahazar. He has also produced the relevant ledger extract corresponding to the transaction dated 08.07.2025, which has been marked before the Court as Ext.X1.

26. P.W.7 has further deposed that the chain shown in the Ext.P2 photograph (already identified by P.W.1) is the very same chain pledged by the accused in their shop. He has also stated that CCTV footage relating to the pledging of the jewel by the accused was available and has been produced before the Court and marked.

27. In the cross-examination, P.W.7 has admitted that this was the first time the accused pledged a jewel in their shop and that the police had also examined the shop owner. He has further stated that he verified the identity of the accused through Aadhaar and obtained his signature at the time of transaction.

28. He has also stated that though the exact details of the jewel such as model or hallmark were not mentioned in the receipt, he would have recorded any visible damage if present. He has admitted that the address in the ledger and Aadhaar differed, as the accused had informed that he had shifted residence.

29. P.W.8 Ravikumar, Head Constable, has deposed that on 08.07.2025 at about 09.00 a.m., P.W.1 appeared before the police station and submitted Ext.P1 complaint, based on which he registered the Ext.P9 FIR in Crime No.266 of 2025 under Section 304(2) BNS and forwarded the same to the Court. In the cross-examination, he has admitted that certain details such as description of the accused, mask and purchase details of the jewel were not mentioned in the complaint.

30. P.W.9 Santhosh Vel has deposed that, on the instructions of the Investigating Officer, he collected CCTV footage relating to the occurrence on 08.07.2025. He has stated that from a camera installed outside the shop of one Subramani near the place of occurrence, he observed footage between 07.54 a.m. and 07.56 a.m., wherein the complainant was seen walking on the road and a motorcycle with two persons was seen passing, turning back and proceeding towards her.

31. He has further deposed that he collected additional CCTV footage from different locations along the route, namely: from a textile establishment named 'AIR INDIA' located about 400 meters away, showing the same motorcycle passing shortly at about 07.57 AM – 07.58 A.M, thereafter, from police surveillance cameras located about 2.5 kilometers away, showing the same vehicle moving along the route at

around 08.08 AM – 08.09 AM, and from cameras installed at a bakery situated about 5 kilometers away, where clearer visuals of the front and rear of the vehicle were available passing around .

32. He has stated that all such video recordings were compiled and stored in Ext.P10 pen drive and handed over to the Investigating Officer. He has identified the Ext.P10 pen drive and the Ext.P11 certificate produced along with it. He has also stated that, except for the first camera which had a time lag of about 10 minutes, the other cameras were functioning properly and reflected correct time.

33. In the cross-examination, P.W.9 has admitted that he collected the CCTV footage based on oral instructions and that he did not obtain written permission from the respective camera owners. He has also admitted that the certificate produced by him did not initially contain details such as crime number and that the footage was formally produced after some delay.

34. He has further admitted that the registration number of the motorcycle could not be seen in the footage. However, he has consistently maintained that the footage relates to the same motorcycle moving across multiple locations in continuity

35. P.W.10 Eswaran, the then Sub-Inspector of Police, Kunnathur Police Station, has deposed that on 08.07.2025, upon registration of the case in Crime No.266 of 2025 by P.W.8 Ravikumar, he took up the investigation at about 09.00 a.m. and proceeded to the place of occurrence at about 10.00 a.m., where he examined P.W.1 Poongodi, P.W.2 Moorthy and P.W.3 Nataraj and recorded their statements. He

has further deposed that he prepared the observation mahazar and rough sketch in the presence of P.W.4 Rajendran and another witness.

36. He has further stated that on the same day, with the assistance of P.W.9 Santhosh Vel, he collected CCTV footage from cameras situated near the place of occurrence and along the suspected route of the offenders. On perusal of the footage, he noticed two persons travelling on a black and white Yamaha R15 motorcycle, one being lean and the other stout, both wearing masks, and he suspected them to be the offenders.

37. He has further deposed that on 11.07.2025 at about 08.00 a.m., while he was engaged in vehicle checking at Semmandampalayam check-post, two persons came on a black and white Yamaha R15 motorcycle without registration number and, on being signalled to stop, attempted to escape but were apprehended. On enquiry, they disclosed their names as Abilash @ Abdul Rahman (accused before this Court) and another juvenile.

38. He has further stated that the accused voluntarily gave a confession statement in the presence of witnesses including P.W.5 Loganathan, admitting his involvement in the chain snatching and disclosing that the motorcycle had been taken from Vellakovil and that the stolen chain had been pledged in a finance shop at Vadavalli. Based on such disclosure, he seized the Yamaha R15 motorcycle, the footwear worn by the accused and the pawn receipt of Konar Finance, Vadavalli under Ext.P13 seizure mahazar.

39. He has further deposed that pursuant to the disclosure, he proceeded along with the accused and witnesses to the finance shop at Vadavalli, where P.W.7 Senthilnathan identified the accused and produced the pledged jewel, which was seized under Ext.P14 seizure mahazar. Thereafter, the accused and recovered properties were brought to the police station, where P.W.1 identified the chain, P.W.2 and P.W.3 identified the accused based on physique, and P.W.6 Rathinakumar identified the vehicle as his stolen motorcycle.

40. He has further stated that the accused was remanded to judicial custody, the juvenile was sent before the Juvenile Justice Board, the seized properties were produced before Court under Form 91, and the case was thereafter handed over to P.W.11 Susila for further investigation.

41. In the cross-examination, he has admitted that the motorcycle did not bear a registration number at the time of occurrence and that no records relating to prior vehicle checking were produced. He has further admitted that there was no CCTV camera at the place of arrest and that the confession statement did not contain details such as registration number of the R15 vehicle. He has also admitted that certain nearby witnesses were not examined and that details such as age, specific identifying features and mask description were not fully recorded in witness statements.

42. He has further admitted that no documentary proof regarding ownership of the chain was collected from P.W.1, that the FIR relating to theft of the motorcycle at Vellakovil was not produced, that the ledger book of the finance shop was not seized.

He has also admitted that some witnesses were examined only once and that certain surrounding witnesses were not examined. However, he has denied the suggestion of false implication.

43. P.W.11 Susila, Inspector of Police, has deposed that on 13.07.2025 she took up further investigation in Crime No.266 of 2025 from P.W.10 Eswaran. She has stated that she visited the place of occurrence and examined the witnesses, but since they reiterated their earlier statements, no further statements were recorded.

44. She has further deposed that on 08.08.2025 she examined P.W.9 Santhosh Vel and obtained certificate under Section 63(4)(c) of the Bharathiya Sakshya Adhiniyam with respect to the CCTV footage and recorded his statement. She has also examined P.W.8 Ravikumar and thereafter completed the investigation and filed the final report against the accused and the juvenile.

45. In the cross-examination, she has admitted that she was not personally aware of the exact circumstances of lodging the complaint or the time of arrival of the complainant at the police station and that details regarding persons accompanying the complainant were not recorded by the earlier Investigating Officer. She has further admitted that though CCTV footage was collected from 08.07.2025 onwards, the certificate was obtained only on 08.08.2025.

46. She has also admitted that the owners of the premises from where CCTV footage was collected were not examined and that the exact distance of such cameras from the place of occurrence was not clearly established, except stating that they

were within approximately one kilometre radius. She has further admitted that P.W.9 had not mentioned specific identifying features of the accused and that CCTV collection was done based on oral instructions.

47. She has further admitted that there is no specific material in the CCTV footage to show that the accused made a U-turn as stated by the complainant, but has denied the suggestion that the CCTV footage does not relate to the places stated by her.

Point for Determination:

Whether on 08.07.2025 at about 08.15 a.m., on Chinnaiyan Gounden Valasu – Adhiyur Road, the accused Abilash @ Abdul Rahman, along with a juvenile, committed the offence of snatching the gold chain belonging to P.W.1 Poongodi, thereby committing an offence punishable under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023?

Discussion and Findings:

48. From the evidence of PW1 Poongodi, PW2 Moorthi and PW3 Nataraj, the very occurrence of the incident stands clearly established. PW1, the victim herself, gave a direct and natural account that while she was walking on the road at about 08.15 a.m. on 08.07.2025, two persons came in a Yamaha vehicle, crossed her, turned back and the pillion rider snatched her two sovereign chain from her neck. Her testimony is that of a direct witness to the occurrence and is based on immediate

personal knowledge. There is nothing inherently improbable or artificial in her version.

49. More importantly, her complaint was lodged at about 09.00 a.m. on the very same day, thus lending strong assurance to the truthfulness of her narration and eliminating any scope for embellishment. The promptness of the complaint assumes great significance, for a victim who approaches the police within an hour of the incident and gives a consistent version cannot be lightly disbelieved.

50. The evidence of P.W.2 and P.W.3 affords natural and independent corroboration to the testimony of P.W.1 on material particulars. Both these witnesses have consistently deposed that upon hearing the alarm raised by P.W.1, they rushed towards the spot and saw two persons fleeing on a Yamaha motorcycle, and that they made an immediate attempt to chase them, though unsuccessfully. Their presence at or near the place of occurrence is not doubtful, as they have explained that they were returning after morning walk, which is a natural and probable circumstance. Their conduct in attempting to chase the offenders is also consistent with normal human behaviour.

51. The admissions elicited in the cross-examination of P.W.1 to P.W.3 do not, in the considered view of this Court, affect the substratum of the prosecution case. The fact that there were no shops in the immediate vicinity or that houses were situated at some distance does not render the occurrence improbable. Similarly, minor inconsistencies regarding distances, presence of bystanders, or sequence of arrival of

witnesses are bound to occur in truthful testimonies and do not detract from the core version of the prosecution. It is well settled that minor discrepancies which do not go to the root of the matter cannot be made a ground to reject otherwise reliable evidence.

52. This Court also finds that the testimony of P.W.1 to P.W.3 has withstood the test of cross-examination on all material aspects. No material contradiction or omission has been elicited so as to discredit their version regarding the occurrence. The suggestion put to them that no such incident took place has been consistently denied, and no motive has been suggested or established for falsely implicating the accused. Such a bald suggestion, in the absence of any supporting material, cannot be accepted. Therefore, upon a careful appreciation of the evidence of P.W.1, P.W.2 and P.W.3, this Court holds that the prosecution has succeeded in proving beyond reasonable doubt that a chain snatching incident did in fact occur at the time and place alleged.

53. The next question that arises for consideration is with regard to the identity of the accused as one of the perpetrators of the offence. It is not in dispute that the assailants were wearing masks at the time of occurrence. It is also an admitted position that no Test Identification Parade was conducted during the course of investigation. The defence has, therefore, contended that the identification of the accused in Court is unreliable and cannot be safely acted upon.

54. This Court is conscious of the principle that identification of an accused for the first time in Court, in the absence of a prior Test Identification Parade, ordinarily

requires cautious scrutiny. However, it is equally well settled that a Test Identification Parade is not substantive evidence but only a rule of prudence, and failure to conduct the same is not invariably fatal to the prosecution case, if the identification in Court is otherwise found to be reliable and receives corroboration from other circumstances.

55. In the present case, P.W.1 has categorically deposed that though the assailants were wearing masks, she was able to notice the physical features of the pillion rider, including his body structure, height, hairstyle and partially visible facial features. She has specifically stated that the pillion rider was of stout build and was wearing a full-sleeve shirt with design, while the rider was lean. Based on these features, she has identified the accused before this Court as the pillion rider who snatched her chain. Her evidence indicates that the incident involved close physical proximity, thereby affording her an opportunity to observe the assailant, albeit partially.

56. The testimony of P.W.2 and P.W.3 also lends support to this aspect. Both these witnesses have consistently described the two persons on the motorcycle in terms of their physique, namely, a lean rider and a comparatively stout pillion rider. They have further deposed that they are in a position to identify the said persons if seen again, and have, in fact, identified the accused before the Court as the pillion rider. Though they have admitted that the assailants were wearing masks, their identification is based on overall physical appearance and build, which cannot be brushed aside merely on that ground.

57. The identification of the accused by P.W.1 to P.W.3 does not stand in isolation. It finds corroboration from the surrounding circumstances, particularly the evidence relating to the vehicle used in the commission of the offence. The consistent version of the witnesses is that the assailants were travelling on a black and white Yamaha R15 motorcycle.

55. The prosecution has also relied upon electronic evidence in the form of CCTV footage collected from various locations in and around the place of occurrence and along the route allegedly taken by the offenders. The evidence of P.W.9 and P.W.10, and also the Ext.P10 CCTV footages produced indicates that such footage was collected from multiple cameras, including those situated near the scene of occurrence and at subsequent points along the route, and that the same depicted the movement of a motorcycle resembling the one described by the PW1 and other eyewitnesses.

56. At the outset, it is to be noted that electronic evidence of CCTV footages produced is, therefore, only in the nature of corroborative material intended to support the prosecution version regarding the movement of the offenders and the vehicle used.

57. The defence has, however, raised certain objections with regard to the reliability and completeness of the CCTV evidence. It has been pointed out that though P.W.9 has stated that footage relating to the occurrence was available, the same has not been fully produced before the Court. It has also been contended that the certificate under the relevant provisions of the Bharatiya Sakshya Adhiniyam was

obtained belatedly and that the owners of the premises from where the footage was collected were not examined. Further, it is contended that certain aspects, such as the alleged U-turn spoken to by P.W.1, are not clearly reflected in the footage produced.

58. This Court is conscious that electronic evidence must be scrutinised carefully, particularly with regard to its source, authenticity and compliance with statutory requirements. At the same time, it is equally well settled that lapses or defects in the collection or production of electronic evidence do not ipso facto render the entire prosecution case unreliable, unless such defects go to the root of the matter and create a reasonable doubt regarding the core facts.

59. In the present case, even assuming that a portion of the CCTV footage, particularly the exact moment of occurrence, has not been produced before the Court, the prosecution case does not suffer on that account. The core fact of occurrence stands independently established by reliable ocular evidence. The CCTV footage that has been produced and spoken to by the witnesses consistently shows the movement of a motorcycle of the same make and description, carrying two persons, across different locations within a narrow time frame. This continuity of movement lends corroboration to the version of P.W.1 regarding the manner in which the offenders approached and fled from the scene.

60. It is also to be noted that P.W.9 has explained that one of the cameras i.e., the one that captured the actual occurrence, had a time lag, while the others were functioning properly. He has further stated that the footage was collected and

compiled and handed over to the Investigating Officer. Though there is some delay in the formal production of the certificate and certain omissions, such as non-examination of camera owners, these are matters relating to the manner of investigation and do not, by themselves, demolish the evidentiary value of the material already placed before the Court.

61. This Court is also mindful of the principle that defective or incomplete investigation cannot be a ground to discard otherwise reliable evidence. The duty of the Court is to assess whether the evidence that is available inspires confidence and is sufficient to prove the prosecution case. In the present case, the CCTV evidence is not the sole foundation of the case, but only an additional circumstance supporting the ocular version and the subsequent recovery.

62. Therefore, upon an overall appreciation, this Court finds that the CCTV evidence, though not free from certain procedural lapses, provides corroborative support to the prosecution case and does not create any doubt regarding the occurrence.

63. The most crucial incriminating circumstance in the present case is the recovery of the stolen chain and its nexus with the accused, coupled with the seizures effected at the time of apprehension, which together form a continuous and unbroken link connecting the accused with the occurrence.

64. According to the prosecution, the accused was apprehended on 11.07.2025 at about 08.00 hours at the Semmandampalayam check-post while travelling on a

Yamaha R15 motorcycle and attempting to evade police interception. The evidence of P.W.5 and P.W.10 clearly establishes that such evasive conduct itself raised suspicion, leading to his interception. Upon such apprehension, the accused was enquired, and he gave a voluntary disclosure statement admitting his involvement in the chain snatching and further stating that the stolen chain had been pledged in a finance shop at Vadavalli.

65. At this juncture, it is necessary to note that immediately upon apprehension, certain material objects were seized from the accused. P.W.5 and P.W.10 have consistently spoken about the seizure of (i) the Yamaha R15 motorcycle used in the commission of the offence, (ii) the footwear worn by the accused, and most importantly, (iii) the pawn receipt relating to the pledged gold chain with Konar Finance, Vadavalli. These seizures were effected under mahazar in the presence of witnesses. The seizure of the Ext.P6 pawn receipt assumes particular significance, as it constitutes a contemporaneous link between the accused and the subsequent recovery of the stolen property. The possession of Ext.P6 receipt by accused at the time of apprehension is a strong incriminating circumstance, demonstrating the immediate and conscious connection of the accused with the pledged jewel.

66. It is well settled that while a confession made to a police officer is inadmissible, that portion of the statement which distinctly leads to the discovery of a fact is admissible. In the present case, the information furnished by the accused as to pledging with Konar Finance, Vadavalli, led to the discovery of the pledged chain

from a specific and identifiable place. Therefore, the disclosure statement, to the extent it led to such recovery, assumes evidentiary value.

67. The factum of apprehension, seizure and disclosure is spoken to by P.W.5, an independent witness. Though he has expressed lack of knowledge regarding the detailed contents of the confession, he has consistently deposed that the accused were apprehended, that they disclosed their involvement, and that the pawn receipt and other materials were seized in his presence. His evidence lends credibility to the prosecution version regarding the events at the check-post.

68. The recovery of the stolen chain is proved through the cogent evidence of P.W.7 Senthilnathan, the clerk of the finance shop. P.W.7 has categorically deposed that on 08.07.2025, between 12.00 noon and 01.00 p.m., the accused himself came to the shop and pledged a gold chain weighing about 15 grams for a sum of Rs.75,000/-, after producing his Aadhaar and signing the relevant records. He has identified the Ext.P6 pawn receipt and the Ext.X1 ledger entry corresponding to the transaction. He has further deposed that on 11.07.2025, when the police, along with the accused, came to the shop, the pledged chain was produced and seized under mahazar.

69. The evidentiary value of P.W.7's testimony is strengthened by the contemporaneous documentary records and the production of Ext.P8 CCTV footage showing the accused pledging the jewel. This not only establishes the factum of pledge but also directly connects the accused with the transaction in question.

70. The timeline emerging from the evidence assumes decisive importance. The occurrence took place at about 08.15 hours on 08.07.2025. Within a few hours thereafter, between 12.00 noon and 01.00 p.m. on the very same day, the accused is shown to have pledged a gold chain in the finance shop. This close temporal proximity is a highly incriminating circumstance, which effectively excludes any reasonable hypothesis of innocent possession. The chain could not have lawfully come into the possession of the accused within such a narrow time gap.

71. The recovery is further reinforced by the identification of the chain by P.W.1, who has categorically stated that she identified the recovered chain as her own. Though she has admitted certain minor aspects such as the chain having been joined and identification among a few jewels, such admissions do not detract from the core fact of identification, particularly when the recovery is firmly established.

72. The defence has attempted to rely upon discrepancies regarding the description of the chain, namely that P.W.7 has not noted any damage in the receipt or ledger and that the receipt lacks detailed particulars. However, such omissions are not uncommon in routine pawn transactions and do not materially affect the evidentiary value of the transaction, especially when supported by oral testimony, documentary records and CCTV evidence.

73. Another significant circumstance is the complete absence of any explanation from the accused. At no stage has the accused claimed ownership of the chain or offered any lawful explanation for its possession. The accused, having been

found in possession of the Ext.P6 pawn receipt at the time of apprehension and having been proved to have pledged the chain within hours of the occurrence, was under an obligation to offer some plausible explanation. His failure to do so attracts the presumption applicable to possession of recently stolen property, which operates strongly against him.

74. Thus, the seizure of the Ext.P6 pawn receipt at the time of apprehension, the disclosure leading to recovery, the recovery of the chain from the finance shop, the documentary and electronic evidence of pledge, and the identification by P.W.1, when read together, form a consistent and unbroken chain of circumstances. These circumstances unmistakably point towards the accused and constitute a vital link connecting him with the offence.

75. Though certain lapses in investigation have been elicited, such as non-seizure of the entire ledger or absence of detailed description of the chain, these do not go to the root of the prosecution case. The core facts relating to seizure, disclosure and recovery stand proved through reliable and cogent evidence.

76. Therefore, this Court finds that the prosecution has satisfactorily established that immediately upon apprehension, incriminating materials including the pawn receipt were seized from the accused, and pursuant to his disclosure, the stolen chain was recovered from the finance shop where it had been pledged by him within a few hours of the occurrence, thereby forming a strong and conclusive link in the chain of circumstances.

77. The defence has sought to assail the prosecution case by pointing out certain omissions, discrepancies and lapses in the investigation, particularly with regard to (i) absence of Test Identification Parade, (ii) non-production of certain CCTV footage allegedly containing the actual occurrence, (iii) delay and defects in certification of electronic evidence, (iv) lack of detailed description of the chain in pawn records, and (v) non-examination of certain independent witnesses. Each of these aspects has been carefully considered by this Court in the light of settled principles governing criminal adjudication.

78. At the outset, it must be stated that the absence of a Test Identification Parade, though a lapse, is not fatal in the facts of the present case. The law is well settled that Test Identification Parade is only a rule of prudence and not a substantive piece of evidence. Where the identification of the accused in Court is found to be reliable and is corroborated by surrounding circumstances, the absence of prior TIP does not vitiate the prosecution case. In the case on hand, the identification of the accused is not based on a solitary assertion but is supported by (i) the consistent description of physical features by P.W.1 to P.W.3, (ii) the continuity of the vehicle as seen in CCTV footage, and (iii) the recovery of stolen property at the instance of the accused. Therefore, the omission to conduct TIP does not create a reasonable doubt.

79. The next contention relates to the CCTV evidence. It is argued that though P.W.9 has stated that footage of the actual occurrence was available, the same has not been produced before the Court, and that the certificate under the relevant provisions was obtained belatedly. It is also pointed out that the owners of the premises from

which footage was collected were not examined. These are undoubtedly shortcomings in the manner of investigation. However, it is trite law that defective or incomplete investigation, by itself, does not entitle the accused to acquittal unless it goes to the root of the prosecution case and causes prejudice. In the present case, the occurrence itself stands independently proved through direct ocular testimony. The CCTV evidence is only corroborative in nature, tracing the movement of the vehicle along the route. Even if certain portions of such electronic evidence suffer from procedural lapses, the substantive evidence on record remains intact and credible.

80. The defence has also attempted to create doubt regarding the recovery by relying upon the discrepancy relating to the condition of the chain. P.W.1 has stated that the chain had some damage and was later joined, whereas P.W.7 has stated that no such damage was recorded in the pawn receipt or ledger. Further, the pawn records do not contain detailed particulars such as hallmark or specific design. While these aspects do indicate lack of meticulous documentation, they do not, in the considered view of this Court, undermine the core prosecution case. The essential facts remain unshaken, namely that the accused pledged a gold chain within a few hours of the occurrence, that the same was recovered from the very same finance shop at his instance, and that P.W.1 identified the chain as her own. Minor discrepancies in description or absence of detailed entries are not sufficient to discredit a recovery otherwise proved through cogent evidence.

81. Another contention raised is that several witnesses belong to the same locality and that certain independent witnesses available nearby were not examined. It is settled law that evidence cannot be discarded merely on the ground that witnesses are acquainted with each other or belong to the same locality. What is required is an assessment of credibility. In the present case, P.W.2 and P.W.3 are natural witnesses whose presence at the scene is satisfactorily explained, and their evidence is consistent and free from material contradictions. No motive for false implication has been suggested or established. The non-examination of some other persons, though a lapse, does not render the evidence of examined witnesses unreliable.

82. The defence has further relied upon certain admissions of the Investigating Officer, including non-production of records relating to vehicle checking, absence of CCTV at the place of arrest, non-seizure of the entire ledger book, and non-production of FIR relating to theft of the motorcycle. These aspects undoubtedly reflect deficiencies in investigation. However, it is equally well settled that lapses on the part of the Investigating Agency cannot enure to the benefit of the accused unless they create a reasonable doubt about the prosecution case. In the present case, the ownership of the motorcycle has been established through P.W.6, and the use of the same vehicle in the occurrence is supported by ocular and CCTV evidence. The core chain of circumstances remains unaffected by these lapses.

83. Significantly, the defence has not offered any plausible explanation for the incriminating circumstances established against the accused. The accused has not claimed ownership of the pledged chain, nor has he explained how he came into possession of the same within a few hours of the occurrence. In cases of this nature, where possession of recently stolen property is proved, the burden shifts on the accused to offer a reasonable explanation. The silence of the accused in this regard constitutes an additional link in the chain of circumstances.

84. When the entire evidence is considered cumulatively, the following circumstances stand firmly established:

- (i) the occurrence of chain snatching at the relevant time and place as spoken to by P.W.1 and corroborated by P.W.2 and P.W.3;
- (ii) the involvement of two persons on a Yamaha R15 motorcycle, with consistent description of the pillion rider;
- (iii) the movement of the same vehicle across multiple locations as seen in CCTV footage;
- (iv) the apprehension of the accused on 11.07.2025 while travelling on a similar vehicle and attempting to evade police;
- (v) the seizure of incriminating materials, including the pawn receipt, from the accused at the time of apprehension;
- (vi) the disclosure made by the accused leading to recovery of the stolen chain from the finance shop;
- (vii) the proof of pledge transaction by the accused within a few hours of the

occurrence through the evidence of P.W.7 and supporting records; and (viii) the identification of the recovered chain by P.W.1 as her stolen property.

85. These circumstances are not isolated or disconnected. Each circumstance reinforces the other, and together they form a complete and unbroken chain leading to the only logical conclusion that the accused is the perpetrator of the offence. There is no missing link in the chain, nor is there any circumstance consistent with the innocence of the accused.

86. It is a settled principle that while the prosecution must prove its case beyond reasonable doubt, the doubt must be reasonable and not fanciful. In the present case, the doubts sought to be raised by the defence are either based on minor discrepancies or on lapses in investigation, which do not affect the core of the prosecution case. The evidence on record inspires confidence and satisfies the test of proof beyond reasonable doubt.

87. Accordingly, this Court holds that the prosecution has succeeded in establishing the guilt of the accused beyond reasonable doubt. The chain of circumstances is complete and unerringly points towards the accused, excluding every hypothesis of innocence.

88. Accordingly, this Court holds that the prosecution has proved beyond reasonable doubt that the accused, in furtherance of common intention with the juvenile, committed the offence of snatching the gold chain from P.W.1 and thereafter

pledged the same, thereby attracting the offence under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023.

89. The accused is therefore found guilty of the offence punishable under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023. The accused was heard on the question of sentence through hybrid VC, as accused was lodged in Vellore Prison.

90. At the time of hearing, the accused sought leniency. However, on perusal of the records and submissions made, it is brought to the notice of this Court that the accused is involved in as many as 17 other cases of similar nature, pertaining to offences involving snatching or theft.

91. This Court has carefully considered the submissions made on behalf of the accused as well as the materials placed on record. The existence of multiple prior cases of identical nature clearly indicates that the accused is not a first-time offender, but a habitual offender engaging in a pattern of similar criminal activities. Such conduct reflects a propensity to commit offences of the same nature and demonstrates that earlier interventions have failed to deter him.

92. In this context, the benefit of the provisions of the Probation of Offenders Act cannot be extended to the accused. The object of the said Act is to reform youthful or first-time offenders and to prevent their exposure to hardened criminal environments. However, where the accused exhibits repeated involvement in similar offences, extending the benefit of probation would defeat the very purpose of the law and would be against the interest of society.

93. The nature of the offence also requires due consideration. The act of chain snatching committed on a public road, particularly targeting an unsuspecting woman, is a serious offence which creates fear and insecurity among the public. Such offences, if dealt with lightly, would erode public confidence in the administration of justice.

94. At the same time, the Court is mindful that sentencing must be proportionate to the offence proved. In the present case, though the offence is serious, the stolen property has been recovered and restored to the victim. Taking into account the totality of circumstances, including the nature of the offence, the antecedents of the accused, and the need for deterrence, this Court is of the considered view that a sentence of substantive imprisonment along with fine would meet the ends of justice.

Accordingly, the accused is sentenced as follows:

- ***The accused is sentenced to undergo Simple Imprisonment for a period of Three (3) Years for the offence under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023.***
- ***The accused is further directed to pay a fine of Rs.10,000/-, in default to undergo Simple Imprisonment for a period of Two (2) Months.***

The period of detention already undergone by the accused since 12.07.2025 is ordered to be set-off from the sentence period.

The case properties in P.R.No.202 of 2025, viz., Yamaha R15 vehicle and Chain was already handed over to its claimants for interim custody. Since, there was

no adverse claim over them, they are herewith made absolute. The Ext.P6 receipt shall be retained in the case records. The other properties are ordered to be destroyed.

Directly typed by me in my official laptop and pronounced by me in open court on this 27th day of March 2026.

**District Munsif Cum Judicial Magistrate,
Uthukuli.**

APPENDIX

List of Prosecution Witnesses:

S.No.	Date of Examination	Witness Name	Category of witness
PW1	20.01.2026	Tmt.Poongodi	De-facto Complainant
PW2	20.01.2026	Tr.Moorthy	Eye witness
PW3	20.01.2026	Tr.Nataraj	Eye witness
PW4	22.01.2026	Tr. Rajendran	Observation mahazar witness
PW5	22.01.2026	Tr.Loganathan	Seizure witness
PW6	22.01.2026	Tr.Rathinakumar	Material witness
PW7	27.01.2026	Tr. Senthilnathan	Seizure witness
PW8	17.02.2026	Tr. Ravikumar	Police witness
PW9	20.02.2026	Tr. Santhoshvel	Police witness
PW10	03.03.2026	Tr. Eswaran	Investigation Officer
PW11	04.03.2026	Tmt. Suseela	Investigation Officer

List of Prosecution Exhibits:

Ex.No.	Marked Through	Particulars of documents
Ex.P1	PW1	Complaint
Ex.P2	PW1	Photo copies of the jewel
Ex.P3	PW4	Observation mahazar
Ex.P4	PW5	Signature of PW.5 in the Seizure mahazar

Ex.P5	PW6	Photo copies of the R15 vehicle
Ex.P6	PW7	Pawn Receipt
Ex.P7	PW7	Signature of PW.7 in the Seizure mahazar
Ex.P8	PW7	CCTV footage from Konar Finance
Ex.P9	PW9	FIR
Ex.P10	PW9	Pendrive containing CCTV footage's near SOC
Ex.P11	PW9	Certificate under Evidence Act
Ex.P12	PW10	Rough Sketch
Ex.P13	PW10	Seizure mahazar prepared at time of apprehension
Ex.P14	PW10	Seizure mahazar prepared at Konar Finance
Ex.P15	PW10	Form 91
Ext.X1	PW7	Ledger extract from Konar Finance, Vadavalli

Witnesses examined for defence – Nil

Exhibits marked for defence - Nil

Material Objects marked – Nil

P.M.O.1 - Slippers

Sd/-Thiru.B.Dharaneether B.A.,L.L.M.,
District Munsif Cum Judicial Magistrate,
Uthukuli.

NOTE :

- 1) Accused convicted.
- 2) Result of this case informed to the concerned department.
- 3) Date of Judgment 27.03.2026
- 4) Copy of judgment given to accused free of cost

Copy submitted to

The Hon'ble Chief Judicial Magistrate, Tiruppur.