

Government of Tamil Nadu.
In the Court of the Principal Sessions Court, Tenkasi

Present: Mr. B. Rajavel, B.Sc., B.L.,

Principal Sessions Judge, Tenkasi

Monday, the 29th day of June, 2026

Sessions Case No. 171/2024

Name of the Complainant	State through The Inspector of Police, Achanpudur Police Station Crime No.157/2022
Name of the accused	Mohammed Kasim, S/o.Mohamed Kani.
Charge levelled against accused.	(Firstly) - House trespassed to commit an offence punishable u/s 449 IPC. (secondly) - Mischief causing damage to the property punishable u/s 427 IPC. (thirdly) - Committed rape repeatedly on same woman punishable u/s 376(2)(n) IPC. (fourthly) - Wrongful confinement punishable u/s 342 IPC. (fifthly) - Committed double murder punishable u/s 302 (2 counts) IPC. (sixthly) - Mischief by killing cock and hen punishable u/s 429 IPC (seventhly) - Committed theft in the house punishable u/s 380 IPC.
Plea of the accused	(firstly) - Not guilty. (secondly) - Not guilty. (thirdly) - Not guilty. (fourthly) - Not guilty. (fifthly) - Not guilty. (sixthly) - Not guilty. (seventhly) - Not guilty.
Finding of the Court	(firstly) - guilty. (secondly) - guilty. (thirdly) - guilty. (fourthly) - Not guilty. (fifthly) - guilty.

	(sixthly) - guilty. (seventhly) - Not guilty
Findings.	(i) For the offence punishable under Section 302 IPC (murder of Kajir Ali), the accused is sentenced to undergo imprisonment for life till the remainder of his natural life. (ii) For the offence punishable under Section 302 IPC (murder of Sithoon Beevi), the accused is sentenced to undergo imprisonment for life till the remainder of his natural life. (iii) For the offence punishable under Section 376(2)(n) IPC, the accused is sentenced to undergo imprisonment for life till the remainder of his natural life. (iv) For the offence punishable under Section 449 IPC, the accused is sentenced to undergo rigorous imprisonment for ten years. (v) For the offence punishable under Section 427 IPC, the accused is sentenced to undergo rigorous imprisonment for one year. (vi) For the offence punishable under Section 429

	IPC, the accused is sentenced to undergo rigorous imprisonment for five years. The accused was found not guilty for the offences u/s 342 & 380 IPC and acquitted u/s 235(1) Cr.P.C. Considering the fact that the accused has been continuously in judicial custody from the date of his arrest and has remained incarcerated throughout the investigation and trial, this Court is not inclined to impose any fine. All the substantive sentences shall run concurrently. The period of detention already undergone by the accused shall be set off under Section 428 Cr.P.C. Accordingly, the accused shall remain in prison for the remainder of his natural life.
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When this case came up for final hearing before me on 22.06.2026, Thiru.M.P.K.Maruthappan, Public Prosecutor for the prosecution, and of Mr.T.Thoodhar Singh Advocate, appeared for the accused and after considering the evidence and documents presented by both sides, and having had this case under my consideration till date and this court made the following....

JUDGMENT

The prosecution case, as projected through the charge sheet, is that Witness Banu is a resident of Mekkarai Dam Road and Witness Mohammed Gani is her husband. The deceased Kajir Ali was the son of Witness Banu, while the deceased Saithoon Beevi was the mother-in-law of Witness Banu. The accused, Mohammed Kasim, is a resident of Vannathi Parai, Mekkarai. On 10.07.2022, at about 4.30 p.m., the deceased Kajir Ali and Witness Achan Beevi came to their house situated at Mekkarai Dam Road. At that time, Kajir Ali, who was allegedly under the influence of alcohol, picked up a quarrel with his wife, Hasan Beevi, and assaulted her. On hearing the commotion, witnesses Seyad Ali Fathima and Rahamathullah came to the spot and took Hasan Beevi to her house.

2. It is the further case of the prosecution that on the same day, at about 11.00 p.m., Kajir Ali was alone in his house, while his grandmother, Saithoon Beevi, was staying alone in a separate room situated on the northern side of the house. The accused, being under the influence of alcohol and allegedly having knowledge that Saithoon Beevi was alone, trespassed into the premises with the intention of committing sexual assault upon her. According to the prosecution, the accused went near her room and knocked on the window in order to make her come outside. He is also alleged to have thrown a stone at the rear window of the house of Witness Banu, causing the glass pane to break.

3. On hearing the sound of the breaking glass, Saithoon Beevi is stated to have opened the door of her room and come outside. While she was looking around with the aid of a torchlight, the accused allegedly approached her from behind, embraced her, and committed rape upon her. Thereafter, with the intention of committing sexual assault upon her again, the accused allegedly lifted and carried her towards an old tin-sheet shed situated on the southern side of the house of Witness Banu. While being taken away, Saithoon Beevi is stated to have raised an alarm by shouting the name of Kajir Ali. The prosecution alleges that, apprehending that Kajir Ali might hear her cries and witness the occurrence, the accused took her inside the tin-sheet shed and gagged her by tying a cloth around her mouth.

4. The prosecution further alleges that thereafter the accused entered the house of Witness Banu, where Kajir Ali was sleeping with the door of the room left open, took a wooden log lying there, and inflicted a blow on the right side of the head of Kajir Ali, thereby causing his death. It is the further allegation of the prosecution that the accused thereafter returned to the tin-sheet shed, where he again committed rape upon Saithoon Beevi, bit her near the right cheek, and repeatedly stamped upon her abdomen, chest, back, and throat with his legs, resulting in her death. It is also alleged that, during the course of the occurrence, the accused caught hold of a hen that was making noise near Saithoon Beevi and twisted its neck, causing its death. Similarly, he is alleged to have caught hold of a rooster inside the chicken coop and twisted its neck, thereby killing it. Thereafter, the accused is alleged to have entered the house of Kajir Ali and removed one covering necklace and two covering chains

from the bureau, under the belief that the said articles were gold ornaments, and thereby committed robbery. On the basis of the above allegations, the Inspector of Police, Achanputhur Police Station, after investigation, laid the charge sheet against the accused alleging commission of offences punishable under Sections 427, 449, 302(2 counts), 376, 429, and 392 of the IPC.

5. The Judicial Magistrate of Shencottah initially took this case on file as Preliminary P.R.C.No. 31/2022. Thereafter, copies of the prosecution documents were furnished to the accused under Section 207 Cr.P.C., and upon consideration, since the case was triable by a Sessions Court, the case records were committed to the Tirunelveli District Sessions Court and taken on file as Sessions Case No. 577/2022 and made over to the Mahila Court and after that due to jurisdictional reasons, the case records were transferred to the Tenkasi Principal Sessions Court and have been taken on file as Sessions Case No. 171/2024.

6. Upon examining the arguments of the Public Prosecutor and the defence as well as the case records, since a prima facie case existed, charges under Sections were framed and explained against the accused under sections 449, 427, 376(2)(n), 342, 302 (2 counts), 429 & 380 IPC. As the accused denied the charges against him, an order was passed for the examination of the prosecution witnesses.

7. The summary of the testimony of the prosecution witnesses examined is as follows:

The prosecution case, as unfolded through the oral and documentary evidence adduced before the Court, is that PW-2 Hasan Beevi is the wife of the deceased Kajir Ali and PW-1 Banu is the mother of the deceased. According to the prosecution, on 10.07.2022, being the day of the Bakrid festival, PW-2 had visited the residence of her husband's parents situated at Erumaichavadi and stayed there till the evening. Thereafter, she returned to her matrimonial home. It is the further case of the prosecution that, when the parents of PW-2 came to meet their daughter, the deceased Kajir Ali allegedly behaved in an angry manner towards them, which resulted in PW-2 leaving for her parental home. Consequently, the deceased remained alone in his residence situated at Anaikkarai Road on the night of 10.07.2022. The prosecution further alleges that, owing to the earlier quarrel, the deceased repeatedly contacted PW-2 and her parents over the telephone during the night hours. As the calls continued persistently, PW-2's parents switched off their mobile phones. Subsequently, information was received that Kajir Ali was found dead inside his house. On reaching the scene of occurrence, PW-1 noticed that certain covering jewels kept in the house and the mobile phone used by the deceased were missing. The prosecution relies upon the evidence of PW-1 Banu to establish that the deceased Kajir Ali and PW-2 had visited her house on the occasion of Bakrid and left for their residence at about 4.30 p.m. on 10.07.2022. According to PW-1, on the next morning, when her attempts to contact Kajir Ali over the telephone failed, she proceeded to his residence and found him lying dead in a pool of blood with visible head injuries. Thereafter, when enquiries were made regarding the whereabouts of the

deceased's mother, namely Sithoon Beevi, she was found lying dead with head injuries and without clothes in the cattle shed situated on the southern side of the house. Immediately thereafter, PW-1 informed her brother Mariappan, and both of them proceeded to Achanpudur Police Station, where PW-1 lodged a complaint.

8. The prosecution further states that PW-31, the Sub-Inspector of Police, recorded the complaint given by PW-1 at about 10.30 a.m. and registered a case in Crime No.157 of 2022 for the offence under Section 302 IPC. The First Information Report was prepared and subsequently uploaded in the computer system after rectification of certain technical issues. Thereafter, the Investigating Officer proceeded to the scene of occurrence, prepared the Observation Mahazar and Rough Sketch in the presence of witnesses, and seized bloodstained and non-bloodstained articles, floor tiles, pillow, clothes and other material objects under the respective seizure mahazars. The prosecution further contends that inquest proceedings were conducted over the dead body of Kajir Ali and the body was forwarded for post-mortem examination. Since the body of Sithoon Beevi was found in an unclothed condition, a suspicion regarding possible sexual assault arose. Accordingly, with the assistance of forensic experts, vaginal swabs and other biological samples were collected before forwarding the body for autopsy. The prosecution places reliance upon the evidence of PW-4 Syed Ali, who deposed that on the night of the occurrence he had consumed liquor along with the deceased and that, at about 2.30 a.m. on 11.07.2022, he had noticed the accused moving away from the vicinity of the house of the deceased. PW-5 Kabir also gave evidence to the effect that he had seen the

accused moving hurriedly near the house of the deceased during the relevant time. PW-6 Abdul Wahab stated that the deceased had borrowed a torchlight from him on the night of the occurrence. PW-7 Sheikh Mohammed spoke about the movements of the deceased during the relevant period and further stated that he had noticed the presence of the accused near the house of the deceased during the night hours. According to the prosecution, during the course of investigation, several witnesses were examined and various material objects were recovered. The Investigating Officer also seized a cock and a hen found at the scene of occurrence and obtained the opinion of the Veterinary Doctor regarding the injuries sustained by the said birds. The veterinary evidence disclosed that the neck portions of the birds had sustained severe injuries, indicating violent handling.

9. The prosecution further alleges that, on 15.07.2022, the accused was secured and, in the presence of independent witnesses, gave a voluntary confession statement, pursuant to which several incriminating articles were recovered. Based upon the disclosure statement, covering jewels, clothes, a mobile phone, a wooden log allegedly used in the commission of the offence, a cloth purportedly used for gagging the deceased Sithoon Beevi, a torchlight, broken glass pieces and other articles were recovered. The said recovered articles were subsequently identified by PW-1 and PW2.

10. The prosecution further relies upon the medical evidence of PW-13 Dr. Sridharan, who examined the accused and opined that the accused was physically

capable of performing sexual intercourse. The biological samples collected from the body and clothes of the deceased Sithoon Beevi were subjected to forensic examination. The forensic analysis revealed the presence of seminal stains on her skirt and in the biological samples collected from her genital region.

11. The prosecution further relies upon the evidence of the forensic experts, who subjected the biological materials to DNA analysis. According to the prosecution, the DNA profile obtained from the seminal stains and the biological samples collected from the deceased Sithoon Beevi matched with the DNA profile obtained from the blood sample of the accused. On the strength of the said scientific evidence, the prosecution contends that the involvement of the accused in the alleged sexual assault upon Sithoon Beevi stands conclusively established.

12. The prosecution also examined witnesses relating to the ownership and usage of the mobile phone recovered during the course of investigation. The Call Detail Records were collected and analysed. Upon completion of the investigation and based on the statements of witnesses and the evidence gathered, the Investigating Officer came to the conclusion that the accused had committed the offences alleged and accordingly filed the final report before the Court.

13. After completing the examination of Prosecution witnesses, when the accused was questioned under Section 313(b) of the Cr.P.C with regard to the incrimination evidence, accused has denied the same and though initially opted to

have defence evidence, subsequently not examined any witness on his side. Accordingly on the side of the accused no oral or documentary evidence adduced.

14. The point for consideration in this case is :

“Whether the prosecution has established, beyond reasonable doubt, through a complete and unbroken chain of circumstantial, scientific, and forensic evidence, that the accused is guilty of the offences alleged against him?”

15. **Point:** To bring home the guilt of the accused on the side of the prosecution as many as 35 witnesses were examined as P.W.1 to P.W.35 and marking documents Ext.P.1 to Ext.P.52 besides M.O.1 to M.O.19 were marked. On the side of the accused no witness examined and no document marked. Both sides heard.

16. The prosecution case, as unfolded from the evidence available on record, is that the deceased victim was subjected to forcible sexual intercourse by the accused and was thereafter done to death. In order to substantiate its case, the prosecution examined several witnesses and relied upon documentary as well as material evidence collected during the course of investigation and produced before the Court. The prosecution seeks to establish the guilt of the accused through the cumulative effect of the ocular, medical, scientific and circumstantial evidence adduced during the trial. It is the specific case of the prosecution that the entire chain of evidence, when considered in its totality, unequivocally points towards the involvement of the accused in the commission of the offences of rape and murder and establishes the charges framed against him beyond all reasonable doubt. Accordingly,

the prosecution prays for the conviction of the accused for the offences alleged against him.

17. At this juncture, it is apposite to refer to the principles enunciated by the Hon'ble Supreme Court in *Kattavellai @ Devakar v. State of Tamil Nadu*. The Apex Court reiterated that, in a case founded upon circumstantial evidence, each circumstance relied upon by the prosecution must be cogently and independently established, and the cumulative effect of such proved circumstances must form a complete and unbroken chain, leading exclusively to the conclusion of the guilt of the accused and ruling out every other reasonable hypothesis consistent with innocence. The Court further held that suspicion, however strong it may be, cannot take the place of legal proof, and that the burden lies upon the prosecution to establish the guilt of the accused beyond reasonable doubt. The Hon'ble Supreme Court also emphasized that scientific and forensic evidence must be collected, preserved, and subjected to proper analysis in a manner that inspires judicial confidence. Any material deficiency, lapse, or infirmity affecting the reliability and probative value of such evidence would necessarily enure to the benefit of the accused.

18. Therefore, while appreciating the evidence available on record, this Court is required to examine whether the circumstances relied upon by the prosecution have been satisfactorily proved; whether such circumstances are consistent only with the guilt of the accused; and whether they collectively constitute a complete and conclusive chain of evidence, excluding every reasonable possibility

of innocence. It is only upon the Court being satisfied that these essential requirements are fulfilled that a conviction can be sustained.

19. In the present case, it is an admitted position that until 15.07.2022, the identity of the person responsible for the deaths of Kajir Ali and Sithoon Beevi remained unknown, and the prosecution case, therefore, rests upon the circumstances subsequently brought on record to establish the involvement of the accused.

20. In order to identify the perpetrator and ascertain the circumstances surrounding the occurrence, the Investigating Officer undertook various investigative measures. One of the significant circumstances that came to the notice of the Investigating Officer on 11.07.2022 was the mobile phone activity of the deceased Kajir Ali immediately prior to the occurrence. The investigation revealed that during the intervening night of 10.07.2022 and 11.07.2022, Kajir Ali had contacted the father of PW-2 Hasan Beevi at about 12.49 a.m. and thereafter contacted the mother of PW-2 at about 12.59 a.m. through the mobile phone used by him. The Call Detail Records disclose that the mobile phone connection used by Kajir Ali remained active until the said time and that no further communication was made thereafter. These call records, therefore, assume considerable significance in determining the approximate point of time at which the occurrence could have taken place.

21. The fact that Kajir Ali had contacted the father and mother of PW-2 immediately prior to the occurrence is a relevant circumstance, as the said telephone numbers were known to him by virtue of his continuous communication with his wife's family. It is possible that Kajir Ali, on noticing any unusual circumstance or

disturbance, might have attempted to communicate with his wife's parents. However, PW-2 Hasan Beevi has deposed that during the said conversation, Kajir Ali only informed her parents about the events that had taken place earlier and requested that she be sent back to the matrimonial home. Thus, the contents of the conversation, by themselves, do not indicate that Kajir Ali had perceived any imminent threat or danger. Nevertheless, the said communication conclusively establishes that Kajir Ali was alive and in a position to communicate with others until about 1.00 a.m. on 11.07.2022. The evidence further discloses that the mobile connection used by Kajir Ali stood in the name of PW-11 Khadija Beevi, who has stated that she had obtained the SIM card in her name and permitted Kajir Ali to use the same. The prosecution has produced the Call Detail Records relating to the said mobile number, which have been marked as Ex.P47. On a cumulative consideration of the oral evidence of the witnesses and the documentary evidence in the form of Ex.P47, this Court finds that Kajir Ali was alive and actively using the said mobile phone until approximately 1.00 a.m. on 11.07.2022. This circumstance, though not by itself sufficient to establish the guilt of the accused, constitutes a material link in the chain of circumstances and assists the Court in determining the sequence of events and the probable time frame within which the occurrence had taken place.

22. Kajir Ali and Sithoon Beevi were found dead at the place of occurrence. The evidence of PW-1 establishes that, on reaching the scene of occurrence, she found both the deceased lying there with grievous injuries on their heads. She further noticed that Sithoon Beevi was found without any clothes on her person. Thus, even

at the earliest point of time, when the complaint came to be lodged, the circumstances surrounding the occurrence clearly indicated that the deaths had taken place under suspicious and unnatural circumstances.

23. The inquest proceedings were thereafter conducted at the scene of occurrence itself. During the course of the inquest, the Panchayatdars examined the condition of the dead bodies as well as the surrounding circumstances and recorded their opinion regarding the cause and manner of death. They unanimously concluded that both Kajir Ali and Sithoon Beevi were no more. Having regard to the nature of the injuries found on the bodies and the circumstances in which they were discovered, the Panchayatdars expressed the opinion that the deaths appeared to have been caused by homicidal violence.

24. Consequent upon the conclusion reached during the inquest, the dead bodies of Kajir Ali and Sithoon Beevi were forwarded from the scene of occurrence to the Tirunelveli Government Medical College Hospital for conducting post-mortem examination. The autopsies were conducted on 12.07.2022. During the post-mortem examination of Kajir Ali, the Doctor noticed a fracture at the base of the skull extending from the right side of the occipital region towards the left side, along with extensive injuries over the head. Upon consideration of the nature of the injuries, the Doctor opined that the death of Kajir Ali was due to the cranio-cerebral injuries sustained by him.

25. Similarly, during the post-mortem examination of Sithoon Beevi, the Doctor found multiple ante-mortem injuries over various parts of her body. Bite marks were present on the right cheek. A lacerated injury was found over the nose extending up to the nasal bone. There was swelling over the right side of the neck. Multiple injuries were noticed over the chest, thighs, back portion of the left breast and fingers. Contusions were present on the muscles situated on both sides of the neck. The thyroid cartilage was found fractured with surrounding tissue damage, and the hyoid bone was also fractured with associated contusions. Fractures were noted over the ribs and sternum, apart from extensive contusions over the head region. Considering the nature, extent and distribution of the injuries, the Doctor opined that Sithoon Beevi had died due to asphyxia resulting from compression of the neck and strangulation.

26. The post-mortem certificate relating to Kajir Ali has been marked as Ex.P22 and the post-mortem certificate relating to Sithoon Beevi has been marked as Ex.P24. The Doctor who conducted the autopsies was examined as PW-29 and his evidence fully corroborates the findings recorded in the respective post-mortem certificates.

27. The medical evidence placed before this Court conclusively establishes that both Kajir Ali and Sithoon Beevi had suffered homicidal deaths. The nature and severity of the injuries found on Kajir Ali, particularly the fracture of the skull and the resultant cranio-cerebral injuries, completely rule out the possibility of accidental

or self-inflicted injuries. Likewise, the extensive injuries found on the body of Sithoon Beevi, coupled with the medical findings relating to strangulation, unmistakably exclude the possibility of suicide or death due to any natural cause.

28. It is highly improbable, if not impossible, for a person to remove all her clothing, sustain such extensive injuries, and thereafter succumb to strangulation by her own act. The surrounding circumstances, the condition of the body, and the medical evidence collectively point only towards the intervention of another person in causing her death.

29. Therefore, on a careful and cumulative appreciation of the oral testimony, the inquest proceedings and the medical evidence available on record, this Court is satisfied that the deaths of Kajir Ali and Sithoon Beevi were neither accidental nor suicidal in nature. The evidence establishes beyond reasonable doubt that both the deceased persons had been subjected to homicidal violence and were murdered. Accordingly, it is held that Kajir Ali and Sithoon Beevi suffered homicidal deaths.

30. During the course of investigation, the Investigating Officer unearthed several vital circumstances from the scene of occurrence. The biological samples collected from the body of the deceased Sithoon Beevi, the detection of seminal stains on her inner garment, and the information furnished by PW-2 Hasan Beevi that the deceased Kajir Ali had been conversing over his mobile phone until about 1.00 a.m. on the intervening night of the occurrence, rendered the recovery and

examination of the said mobile phone a significant aspect of the investigation. Accordingly, the Investigating Officer took effective steps to trace the accused as well as to recover the missing mobile phone belonging to the deceased Kajir Ali.

31. The evidence on record discloses that the accused was a person well known to the residents of the locality. During the course of investigation, when the Investigating Officer examined the local residents and other witnesses acquainted with the circumstances of the occurrence, it was found that, while the presence of other persons in the locality could be accounted for, the accused alone was conspicuously absent from the area. This conduct of the accused, coupled with the other circumstances surrounding the occurrence, created a reasonable suspicion regarding his involvement, which ultimately led to his apprehension and interrogation.

32. It was only after the arrest and interrogation of the accused that information was furnished by him regarding the place where the mobile phone had been concealed. Pursuant to the said disclosure, PW-10 Azhar entered the well and recovered the mobile phone. There is no material available on record to suggest that PW-10 Azhar or any other witness had prior knowledge about the presence of the mobile phone inside the well or the specific place where it had been concealed. On the contrary, the evidence clearly indicates that the knowledge regarding the concealment of the mobile phone at that particular location was exclusively within the knowledge of the accused.

33. In such circumstances, the contention that the mobile phone might have been thrown into the well by some unknown person does not merit acceptance, as it is unsupported by any material evidence on record. The recovery of the mobile phone, nearly four days after the occurrence, pursuant to the information furnished by the accused, assumes considerable significance. The evidence further establishes that the said mobile phone was in active use until the early hours of the date of occurrence. PW-2 Hasan Beevi has categorically deposed that Kajir Ali was speaking over the said mobile phone until about 1.00 a.m. on the relevant night. These circumstances, when considered cumulatively, lend assurance to the prosecution case regarding the recovery and the circumstances connected with the possession and concealment of the mobile phone by the accused.

34. Further, the Call Detail Records produced in the case disclose that calls were made and received through the said mobile connection during the relevant period. The said records lend corroboration to the prosecution case regarding the use of the mobile phone immediately prior to the occurrence. In the above circumstances, the fact that the mobile phone of the deceased was found concealed inside a well and that the place of concealment was disclosed only at the instance of the accused assumes considerable significance. The accused alone appears to have possessed special knowledge regarding the whereabouts of the mobile phone and the circumstances under which it came to be concealed in the well. If the accused had no nexus whatsoever with the occurrence, there was no plausible reason for him to have

exclusive knowledge about the location of the mobile phone belonging to the deceased.

35. The circumstances as to whether the accused had visited the place of occurrence during the relevant period, the manner in which he came to know about the mobile phone, and the reason for its concealment in the well are facts which are especially within his knowledge. However, when the accused was examined under Section 313 Cr.P.C., he failed to offer any explanation whatsoever with regard to these incriminating circumstances. His silence in respect of facts which were particularly within his knowledge constitutes an additional circumstance lending support to the prosecution case.

36. The evidence available on record establishes that the deceased Kajir Ali was alive at least until about 1.00 a.m. during the intervening night of 10.07.2022 and 11.07.2022. The prosecution has also placed on record evidence to establish the presence of the accused in the same locality during the relevant time. The witnesses examined on behalf of the prosecution have consistently spoken about having seen the accused near the place of occurrence under circumstances which appeared unusual during the late-night hours.

37. PW-4 Syed Ali has deposed that on the occasion of the Bakrid festival on 10.07.2022, he and the deceased Kajir Ali had consumed liquor together. Since it became late in the night, he returned to his house. He further stated that at about 2.30 a.m. on 11.07.2022, on hearing the barking of dogs, he came out of his house and

noticed the accused proceeding towards the eastern side from the direction of the house of Kajir Ali. Similarly, PW-5 Kabir has stated that at about 2.30 a.m., after hearing dogs barking, he came out of his house and looked towards the road, whereupon he noticed the accused moving hurriedly from north to south in the vicinity of the house of Kajir Ali.

38. PW-6 Abdul Wahab has deposed that the house of Kajir Ali was situated to the east of his residence and that at about 9.00 p.m. on 10.07.2022, the deceased had borrowed a torchlight from him. PW-7 Sheikh Mohammed has stated that on the morning of 10.07.2022, he met the accused at a tea stall near Anaikkarai and, at the request of the accused, accompanied him to his house, where they consumed liquor. Thereafter, they proceeded to Melakarai and Erumaichavadi and spent time along with their friends. According to PW-7, when he returned at about 1.00 a.m., he noticed the electric lights of the house of Kajir Ali switched on and, on looking towards the house, found the accused standing nearby.

39. The cumulative effect of the evidence of the above witnesses is that the accused was moving in the company of Syed Ali, his brother Ismail @ Giri, and others during the Bakrid festival celebrations and had consumed liquor with them. PW-4 Syed Ali has further stated that the accused remained under the influence of alcohol until about 9.00 p.m., after which he left their company. Thus, the evidence of the prosecution witnesses consistently establishes the presence of the accused in and around Melakarai, Erumaichavadi, and the surrounding locality during the relevant

period and further shows that he was seen in close proximity to the place of occurrence between about 1.00 a.m. and 2.30 a.m. on the night of the incident.

40. These circumstances, when considered along with the recovery of the mobile phone of the deceased at the instance of the accused and his failure to offer any explanation regarding the same, assume considerable importance while evaluating the chain of circumstantial evidence relied upon by the prosecution.

41. In the present case, there are no direct eyewitnesses to the occurrence. No witness has deposed to having seen the accused in the company of the deceased or having witnessed any incident involving them immediately prior to the occurrence. However, the evidence available on record establishes that the accused was a resident of the same locality and, therefore, his mere presence in the vicinity of the place of occurrence cannot, by itself, be treated as an incriminating circumstance.

42. The prosecution witnesses who claim to have noticed the accused near the place of occurrence have explained the circumstances in which they happened to see him. One of the witnesses has stated that he came out of his house during the night hours to answer nature's call and, on hearing the barking of dogs, looked towards the road, where he noticed the accused. Another witness has deposed that he woke up on hearing the barking of dogs and, while attending to his cattle, saw the accused on the road. Having regard to the facts and circumstances of the case, there is no material on record to doubt the presence of these witnesses at the relevant time or the explanation offered by them as to how they happened to notice the accused.

43. The evidence of the Electricity Board official further establishes that there was no power failure in the locality during the relevant period, namely, the night of 10.07.2022 and the early hours of 11.07.2022. The details regarding the timings of any power interruption, if any, have been specifically furnished by the concerned official. Thus, the evidence on record satisfactorily demonstrates that adequate electric illumination was available in the locality and that the witnesses were in a position to identify the accused when they noticed him near the place of occurrence.

44. However, the mere presence of the accused near the place of occurrence, even if established, cannot by itself lead to the conclusion that he was responsible for the commission of the offences alleged against him. Such circumstance, at the highest, may raise a suspicion, but suspicion, however strong, cannot take the place of proof. It is, therefore, necessary to examine whether there exist any other circumstances, duly established by the prosecution, which corroborate and lend assurance to the case put forward by it.

45. In this regard, the prosecution places reliance upon the biological and forensic evidence collected during the course of investigation. The records disclose that seminal traces were detected in the biological samples collected from the genital region of the deceased Sithoon Beevi. Pursuant to the information received through official channels, the forensic expert visited the scene of occurrence and, on 11.07.2022, collected the requisite biological samples from the body of the deceased.

The said samples were duly preserved and forwarded to the Forensic Science Laboratory for scientific examination.

46. It is significant to note that, although the inner garment of the deceased was recovered subsequently during the course of investigation, the forensic records clearly indicate that the biological samples collected directly from the body of the deceased on 11.07.2022 itself contained seminal traces. This circumstance assumes considerable importance, as it establishes that the scientific evidence was obtained from the body of the deceased at the earliest point of time and was available even prior to the subsequent recoveries relied upon by the prosecution. The said evidence, therefore, requires careful consideration while appreciating the prosecution case relating to the alleged sexual assault.

47. The records further reveal that biological samples of the suspected accused were also collected and forwarded for forensic examination. The investigation was thereafter proceeded with the object of scientifically determining whether the biological material detected from the deceased could be attributed to the accused. In furtherance of the said investigation, the subsequent Investigating Officer, Mrs. Kavitha, obtained blood samples from the accused and caused the same to be subjected to DNA profiling. The purpose of such scientific examination was to ascertain, through genetic analysis, whether the seminal traces recovered from the body of the deceased were capable of being conclusively linked to the accused.

48. At the same time, it is necessary to bear in mind that the alleged confession statement of the accused, by itself, cannot constitute substantive evidence of guilt. A confession made by an accused is admissible only to the extent permissible under law and cannot ordinarily be relied upon against him unless it falls within the ambit of a legally admissible provision. However, that part of the information furnished by the accused which distinctly leads to the discovery of a new fact or the recovery of a material object connected with the commission of the offence assumes relevance and may be taken into consideration in accordance with law.

49. Therefore, while examining the evidentiary value of the alleged confession statement, the Court must determine whether the statement was made voluntarily and without any inducement, threat, or promise, and further whether the discovery or recovery effected pursuant to such information has a proximate and direct connection with the crime under investigation. The admissibility and probative value of such discovery evidence must necessarily be assessed in the light of the entire chain of circumstances established by the prosecution.

50. In the present case, it is significant to note that the inner garment, alleged to have been recovered pursuant to the confession statement of the accused, was recovered only on 15.07.2022. However, even prior to such recovery, the biological samples collected from the body of the deceased Sithoon Beevi on 11.07.2022 had already disclosed the presence of seminal stains. Therefore, the contention that the

said material objects could have been subsequently fabricated, introduced, or planted with a view to strengthen the prosecution case does not merit acceptance.

51. The records further disclose that the recovered material objects were produced before the Court through PW-19 Mahesh. Thereafter, PW-17, Head Clerk Mrs. Chandrakalavathi, forwarded the said exhibits to the Regional Forensic Science Laboratory for scientific examination. Subsequently, PW-32 Thanya, Scientific Officer, forwarded the relevant exhibits on 25.08.2022 to the Forensic Science Laboratory, Madurai, for further examination and DNA profiling.

52. It is also borne out from the evidence that the blood sample of the accused was collected on 31.01.2025 for the purpose of DNA analysis. The semen samples collected from the body of the deceased Sithoon Beevi and the seminal stains detected on the inner garment attributed to the deceased had already been properly preserved and subjected to forensic examination. Upon comparison of the DNA profile generated from the biological samples collected from the deceased with the DNA profile obtained from the blood sample of the accused, the Forensic Science Laboratory opined that both profiles matched and originated from one and the same individual.

53. The report submitted by PW-32, the competent forensic expert, thus clearly establishes that the semen detected in the biological samples collected from the body of the deceased corresponds with the DNA profile of the accused. The presence of the accused's DNA in the biological samples recovered from the body of

the deceased is a highly incriminating circumstance, which provides strong scientific corroboration to the prosecution case and establishes a direct nexus between the accused and the deceased.

54. PW-35, the subsequent Investigating Officer, has deposed that, after obtaining necessary permission from the Court, further investigation was undertaken in the matter. During the course of such further investigation, blood samples of the accused were collected and forwarded to the Forensic Science Laboratory for DNA profiling. On receipt of the comparative DNA analysis report from the Forensic Science Laboratory, the same was produced before the Court along with the supplementary records. PW-35 has also spoken in detail regarding the steps taken during the course of further investigation and the collection of additional scientific evidence.

55. The mere fact that such further investigation was conducted after the filing of the final report or after the commencement of trial does not, by itself, render the investigation illegal or vitiate the proceedings. Section 173(8) of the Code of Criminal Procedure expressly empowers the Investigating Agency to undertake further investigation and submit a supplementary report upon the discovery of additional material or evidence. The primary object of a criminal investigation is to ascertain the truth and bring before the Court all relevant material necessary for a just adjudication. Therefore, the collection of additional scientific evidence during the

course of further investigation cannot be rejected merely on the ground that the trial had already commenced.

56. Accordingly, the DNA report and the other materials collected during the course of further investigation are legally admissible and are entitled to be considered along with the entire evidence available on record, while determining whether the prosecution has succeeded in establishing the guilt of the accused beyond reasonable doubt.

57. The defence has advanced a contention that Melakarai Village is situated at the foothills of the Western Ghats and that the locality is prone to the movement of wild animals. According to the defence, since the area is situated adjacent to a protected forest region, the Forest Department has erected warning boards at various locations cautioning the public about the presence and movement of wild animals. It is further contended that the residents of the locality have been advised not to disturb wild animals and have been cautioned against entering protected forest areas. The defence has also pointed out that wild animals occasionally stray into human habitations, causing damage, and that such incidents are periodically monitored by the Forest Department. On the basis of these circumstances, the defence has sought to suggest that the deaths of Kajir Ali and Sithoon Beevi might have occurred due to an attack by wild animals.

58. However, when the said contention is examined in the light of the evidence available on record, the same does not appear to be supported by any

acceptable material or reasonable probability. The injuries found on the deceased are wholly inconsistent with the theory of a wild animal attack. A wild animal attack, in the ordinary course, would not result in injuries suggestive of manual strangulation caused by compression of both sides of the neck. Further, the circumstances surrounding the occurrence, including the removal of the clothing of the victim and the commission of sexual assault, are wholly incompatible with the defence theory of an attack by a wild animal.

59. It is also significant to note that the Medical Officer, Dr. Prasanth, when subjected to cross-examination on behalf of the defence, specifically denied the suggestion that the injuries sustained by the deceased could have been caused by an attack by a wild animal, such as a bear. The medical evidence, therefore, does not lend any support whatsoever to the theory advanced by the defence.

60. Further, no witness has deposed to having seen any wild animal in or around the place of occurrence at or about the relevant time. There is also no evidence on record to indicate the presence of a bear or any other wild animal in the vicinity of the scene of occurrence. In the absence of any such evidence, and in view of the categorical opinion expressed by the Medical Officer ruling out the possibility of the injuries being caused by a wild animal attack, the defence contention remains a mere suggestion devoid of any evidentiary foundation.

61. If the defence intended to establish the possibility of such an alternative theory, it was open to the accused to adduce independent evidence, either by

examining witnesses acquainted with the circumstances of the locality or by producing relevant materials to demonstrate the existence of a reasonable possibility of a wild animal attack. Such evidence, if available, could have been relied upon to create a reasonable doubt in the prosecution case. However, no such attempt has been made by the defence.

62. Therefore, the plea that the deaths of Kajir Ali and Sithoon Beevi were caused due to an attack by wild animals is not supported by the evidence on record and cannot be accepted. The said contention is accordingly rejected.

63. The defence has contended that there was a delay in lodging the complaint and that the First Information Report (FIR) reached the jurisdictional Court belatedly, which, according to the defence, casts a doubt on the genuineness of the prosecution case. This contention, however, does not merit acceptance.

64. The records disclose that the FIR was registered on 11.07.2022 and was transmitted to the jurisdictional Court on the very same day. The evidence on record establishes that the delay, if any, in the transmission of the FIR was not due to any deliberate inaction or lapse on the part of the prosecution, but was solely on account of technical difficulties encountered in uploading the FIR through the police computer network system.

65. PW-1 Banu had appeared before the police station at about 9.00 a.m. and submitted the complaint, pursuant to which her statement was recorded without any undue delay. The evidence of PW-22 Sheela, who was the officer responsible for

registering the FIR, reveals that an attempt was immediately made to upload the FIR through the online system maintained by the police department. However, owing to a technical malfunction in the computer network, the FIR could not be uploaded. Thereafter, necessary assistance was sought from the Sub-Divisional Police Office, and a police official was deputed to rectify the technical issue. Only after the defect was resolved at about 2.00 p.m. could the FIR be successfully uploaded and processed. Consequently, the FIR reached the jurisdictional Court at about 4.00 p.m.

66. The explanation offered by the prosecution for the delay in the transmission of the FIR is cogent, natural, and supported by the evidence available on record. Nothing has been elicited in the cross-examination of the prosecution witnesses to suggest that the delay was deliberate or that the FIR had been manipulated, ante-timed, or prepared after due deliberation. A mere delay in the receipt of the FIR by the Court, when satisfactorily explained, cannot by itself become a ground to discard an otherwise credible prosecution case.

67. It is also significant to note that the name of the accused does not find a place in the FIR. If the prosecution had intended to falsely implicate the accused after due consultation or deliberation, it would have been natural for the accused's name to have been incorporated in the earliest version of the prosecution case itself. The absence of the accused's name in the FIR is, in fact, a circumstance indicating that the identity of the offender was not known at the initial stage of the investigation.

68. The evidence on record further establishes that the investigation proceeded against an unknown offender and that the identity of the accused emerged only during the course of investigation. The investigating agency had not identified the person responsible for the occurrence until 14.07.2022, and the accused came to be arrested only at about 6.00 a.m. on 15.07.2022. Thus, there is nothing on record to suggest that the accused was subsequently introduced into the case by way of embellishment or afterthought.

69. In the circumstances of the case, the delay of a few hours in the transmission of the FIR to the Court, which occurred due to technical difficulties in the online system, cannot be treated as a circumstance affecting the credibility of the prosecution version. In the absence of any material indicating prejudice, fabrication, suppression of facts, or manipulation of records, such delay does not create any reasonable doubt regarding the fairness or genuineness of the investigation.

70. Therefore, the contention raised by the defence regarding the alleged delay in lodging the complaint and transmission of the FIR is devoid of merit and is liable to be rejected.

71. Upon a careful appreciation of the oral and documentary evidence available on record, this Court finds that the prosecution has established the sequence of events and the culpability of the accused beyond reasonable doubt. The evidence of the prosecution witnesses, coupled with the documentary and scientific evidence, clearly establishes that the accused was aware that, on 10.07.2022, Sithoon Beevi was

alone in her house. Taking advantage of the said circumstance and with the intention of committing sexual assault upon her, the accused criminally trespassed into her house during the night with a premeditated and unlawful intention.

72. The evidence further reveals that, in order to attract the attention of Sithoon Beevi and induce her to come out of the house, the accused threw a stone at the rear-side window glass of the house, thereby causing damage to the same. The prosecution witnesses have spoken about the damage caused to the window glass and its subsequent repair. The evidence on record also establishes that, both before and during the commission of the offence, the accused caused damage to the properties belonging to Sithoon Beevi. Hence, this Court finds that the prosecution has proved the offences punishable under Sections 449 and 427 IPC against the accused beyond reasonable doubt.

73. The further evidence of the prosecution establishes that, upon hearing the noise, when Sithoon Beevi came out of the house, the accused wrongfully restrained her and prevented her from moving away. The accused thereafter subjected her to sexual assault near her house and dragged her towards the cattle shed situated on the southern side of the property. The recovery of the skirt (pavadai) belonging to Sithoon Beevi, containing seminal stains, from the fence situated behind the house, coupled with the scientific evidence connecting the accused with the biological materials recovered during the investigation, provides strong corroboration to the prosecution version. The evidence further establishes that the accused subjected

Sithoon Beevi to sexual assault on more than one occasion during the same transaction. Therefore, this Court finds that the prosecution has successfully proved the offence punishable under Section 376(2)(n) IPC against the accused beyond reasonable doubt.

74. Though the prosecution has established that Sithoon Beevi was restrained by the accused, such restraint formed part and parcel of the commission of the offence of rape and was not a separate and independent transaction. Therefore, this Court is of the view that no separate sentence is required to be imposed for the offence punishable under Section 342 IPC.

75. The evidence further establishes that, during the occurrence, Kajir Ali came to the place where the accused was committing the offence. The accused assaulted Kajir Ali with a wooden log, causing grievous injuries on his head, which ultimately resulted in his death. The ocular evidence is duly corroborated by the medical evidence, which establishes the nature of the injuries sustained by Kajir Ali and the cause of his death. Therefore, this Court finds that the prosecution has proved beyond reasonable doubt that the accused committed the murder of Kajir Ali, thereby attracting the offence punishable under Section 302 IPC.

76. The evidence further discloses that, after causing the death of Kajir Ali, the accused returned to Sithoon Beevi and again subjected her to sexual assault. When she resisted the act, the accused assaulted her and ultimately strangled her to death. The post-mortem findings, including the fractures of the hyoid bone and

thyroid cartilage and the injuries noticed on the neck region, conclusively establish that Sithoon Beevi died due to homicidal strangulation. The medical evidence fully supports the prosecution case and proves that the accused intentionally caused the death of Sithoon Beevi. Accordingly, this Court finds that the prosecution has proved beyond reasonable doubt that the accused committed the murder of Sithoon Beevi and is guilty of the offence punishable under Section 302 IPC.

77. The prosecution has also established that, during the course of the occurrence, the accused killed the hen and rooster belonging to Sithoon Beevi by twisting their necks and throwing them to the ground. The surrounding circumstances clearly indicate that the said act was committed with the intention of preventing the birds from making noise and thereby avoiding detection while committing the other offences. Thus, the essential ingredients of the offence punishable under Section 429 IPC stand proved against the accused beyond reasonable doubt.

78. However, with regard to the charge under Section 380 IPC, this Court finds that the prosecution has failed to establish the essential ingredients of theft. The evidence available on record does not satisfactorily prove the removal of any property by the accused with the requisite dishonest intention so as to attract the offence of theft. Hence, the accused is entitled to the benefit of doubt in respect of the said charge and is accordingly acquitted of the offence punishable under Section 380 IPC.

79. In view of the foregoing discussion and the totality of the evidence available on record, this Court holds that the prosecution has proved beyond

reasonable doubt that the accused has committed the offences punishable under Sections 449, 427, 376(2)(n), 302 (two counts) and 429 IPC. However, the prosecution has failed to prove the charge under Sections 342 & 380 IPC, and the accused is acquitted of the said offence.

Post the matter on 29.06.2026 for hearing the accused on the question of sentence under Section 235(2) Cr.P.C.

Principal Sessions Judge
Tenkasi

80. The accused was heard on the question of sentence. The learned Special Public Prosecutor submitted that the offences proved against the accused are of an extremely grave, heinous and brutal nature. It was contended that the accused criminally trespassed into the house of a lone woman during the night hours, repeatedly subjected her to sexual assault, and, when Kajir Ali intervened, caused his death. It was further submitted that the accused thereafter committed the murder of Sithoon Beevi in order to facilitate and conceal the offences committed by him. According to the learned Public Prosecutor, the manner in which the offences were committed demonstrates extreme brutality, depravity of mind, and utter disregard for human life and dignity. Therefore, the learned Public Prosecutor prayed that the maximum punishment permissible under law may be imposed upon the accused.

81. The accused was questioned regarding the sentence to be imposed. The accused pleaded for leniency and submitted that he has family responsibilities. It was

also brought to the notice of this Court that he has been in judicial custody from the date of his arrest and has remained incarcerated throughout the period of investigation and trial. Hence, he requested this Court to take a lenient view while determining the quantum of sentence.

82. This Court has carefully considered the submissions advanced on either side and has given anxious consideration to the entire evidence available on record.

The evidence on record clearly establishes that the accused trespassed into the house of a woman who was alone during the night hours and repeatedly subjected her to sexual assault. When Kajir Ali came to the rescue of the victim, the accused assaulted him and caused his death. Thereafter, the accused again committed sexual assault upon Sithoon Beevi and ultimately caused her death with the object of facilitating and concealing the offences committed by him.

83. The evidence further establishes that the accused caused damage to the properties belonging to the deceased and killed the domestic birds available at the place of occurrence, apparently with the intention of preventing any disturbance or alert being raised and thereby facilitating the commission of the offences.

84. The medical evidence discloses the degree of violence employed by the accused. Sithoon Beevi sustained multiple injuries on various parts of her body and ultimately died due to strangulation. Kajir Ali sustained grievous head injuries, which resulted in his death. The offences were not committed due to any sudden provocation, altercation or loss of control, but were committed in a planned,

deliberate and ruthless manner. The dignity of a woman was violated and two innocent lives were lost in the course of the same transaction.

85. This Court has carefully examined whether the present case falls within the category of the “rarest of rare” cases warranting the imposition of the extreme penalty of death.

86. There can be no doubt that the offences committed by the accused are grave, heinous and deserve the strongest condemnation. The aggravating circumstances in the present case include the repeated sexual assault upon a helpless woman, the murder of Kajir Ali when he attempted to intervene, the subsequent murder of Sithoon Beevi to facilitate and conceal the crime, and the extreme brutality reflected in the medical evidence.

87. However, as held by the Hon’ble Supreme Court in *Bachan Singh v. State of Punjab*, the death penalty can be imposed only in exceptional cases where the alternative punishment of life imprisonment is unquestionably foreclosed. Before imposing the extreme penalty of death, the Court is required to consider whether the accused is beyond the possibility of reformation and rehabilitation.

88. In the present case, apart from the seriousness and brutality of the offences, no material has been placed before this Court to establish that the accused is incapable of being reformed or rehabilitated. It is brought on record that the accused had earlier been detained in a Juvenile Home in connection with a theft case during his childhood. However, such juvenile involvement, by itself, cannot be considered as

a criminal antecedent sufficient to conclude that the accused is beyond the possibility of reformation. The very foundation of the juvenile justice system is based upon the principles of reformation and rehabilitation.

89. There is no evidence of any previous adult criminal conviction against the accused. Further, there is no material available on record to conclude that the accused would continue to remain a threat to society throughout his life if kept under incarceration. Therefore, this Court is not persuaded to hold that the present case satisfies the stringent requirements necessary for awarding the death penalty.

90. At the same time, this Court is of the considered view that a normal sentence of imprisonment for life, subject to the possibility of statutory remission, would not meet the ends of justice, considering the exceptional circumstances surrounding the commission of the offences. The repeated sexual assault of a helpless woman, the brutal murder of Kajir Ali when he intervened, and the subsequent murder of Sithoon Beevi to facilitate and conceal the crime reveal a complete disregard for human life, bodily integrity and dignity.

91. The interests of justice, the requirement of proportionate punishment, the necessity of deterrence, and the protection of society demand that the accused be kept away from society for the remainder of his natural life.

92. Accordingly, while this Court is not inclined to impose the death penalty, it is satisfied that the appropriate sentence would be imprisonment for life till the remainder of the natural life of the accused.

Accordingly, the accused is sentenced as follows:

- (i) For the offence punishable under Section 302 IPC (murder of Kajir Ali), the accused is sentenced to undergo imprisonment for life till the remainder of his natural life.
- (ii) For the offence punishable under Section 302 IPC (murder of Sithoon Beevi), the accused is sentenced to undergo imprisonment for life till the remainder of his natural life.
- (iii) For the offence punishable under Section 376(2)(n) IPC, the accused is sentenced to undergo imprisonment for life till the remainder of his natural life.
- (iv) For the offence punishable under Section 449 IPC, the accused is sentenced to undergo **rigorous imprisonment for ten years**.
- (v) For the offence punishable under Section 427 IPC, the accused is sentenced to undergo **rigorous imprisonment for one year**.
- (vi) For the offence punishable under Section 429 IPC, the accused is sentenced to undergo **rigorous imprisonment for five years**.

The accused was found not guilty for the offences u/s 342 & 380 IPC and acquitted u/s 235(1) Cr.P.C. Considering the fact that the accused has been continuously in judicial custody from the date of his arrest and has remained incarcerated throughout the investigation and trial, this Court is not inclined to impose any fine. All the substantive sentences shall run concurrently. The period of detention already

undergone by the accused shall be set off under Section 428 Cr.P.C. Accordingly, the accused shall remain in prison for the remainder of his natural life. M.O.1 to M.O.19 are ordered to be destroyed after the expiry of the appeal time.

93. Having regard to the fact that Kajir Ali and Sithoon Beevi lost their lives as a consequence of the offences committed by the accused, this Court is of the view that their dependants are entitled to seek compensation under the Victim Compensation Scheme. Accordingly, the Secretary, District Legal Services Authority, Tenkasi, is directed to consider and process the claims of:

1. the wife of deceased Kajir Ali; and
2. the son/legal heir of deceased Sithoon Beevi,

under the Victim Compensation Scheme in accordance with law and pass appropriate orders after conducting due enquiry.

Dictated to the steno-typist directly and typed by him in his computer and corrected and pronounced by me in the open court this the 29th day of June 2026.

Principal Sessions Judge
Tenkasi

Witnesses examined on the side of the Prosecution:

- | | | | |
|----|-------|---|--------------|
| 1. | P.W.1 | - | Banu. |
| 2. | P.W.2 | - | Asan Beevi. |
| 3. | P.W.3 | - | Mariappan. |
| 4. | P.W.4 | - | Seyadu Ali. |
| 5. | P.W.5 | - | Kabir. |
| 6. | P.W.6 | - | Abdul Wahab. |

- | | | | |
|-----|--------|---|-------------------|
| 7. | P.W.7 | - | Sheik Mohamed. |
| 8. | P.W.8 | - | Manoharan. |
| 9. | P.W.9 | - | Kumar. |
| 10. | P.W.10 | - | Azar |
| 11. | P.W.11 | - | Katheeja Banu. |
| 12. | P.W.12 | - | Dr.Sasikumar. |
| 13. | P.W.13 | - | Dr.Sridharan. |
| 14. | P.W.14 | - | Ismail. |
| 15. | P.W.15 | - | Murugan. |
| 16. | P.W.16 | - | Parvathi. |
| 17. | P.W.17 | - | Chandrakalavathi. |
| 18. | P.W.18 | - | Murugan. |
| 19. | P.W.19 | - | Maheshkumar. |
| 20. | P.W.20 | - | Mohamed Usain. |
| 21. | P.W.21 | - | Ganesan. |
| 22. | P.W.22 | - | Sheela. |
| 23. | P.W.23 | - | Senthilkumar. |
| 24. | P.W.24 | - | Manju. |
| 25. | P.W.25 | - | Muppidathi. |
| 26. | P.W.26 | - | Karthikeyan. |
| 27. | P.W.27 | - | Balamurugan. |
| 28. | P.W.28 | - | Vijay. |
| 29. | P.W.29 | - | Dr.Prasanna. |
| 30. | P.W.30 | - | Ananti. |
| 31. | P.W.31 | - | Subramanian. |
| 32. | P.W.32 | - | Dhanya. |
| 33. | P.W.33 | - | Vijayendran. |
| 34. | P.W.34 | - | Velkani. |
| 35. | P.W.35 | - | Kavitha. |

Exhibits marked on the side of the prosecution:

01. Ext.P.1 - Complaint statement.
02. Ext.P.2 - Observation mahazar.
03. Ext.P.3 - Athakshi dated 11.07.2002 at 11.30 hours prepared in the scene of occurrence.
04. Ext.P.4 - Admissible portion in the confession statement given by the accused.
05. Ext.P.5 - Athakshi dated 11.07.2022 at 10.35 hours prepared in the police station.
06. Ext.P.6 - Athakshi dated 15.07.2022 at 11.30 hours for recovery of things near Shythoon Beevi house.
07. Ext.P.7 - Postmortem certificate of cock.
08. Ext.P.8 - Postmortem certificate of hen.
09. Ext.P.9 - Potency certificate issued to the accused.
10. Ext.P.10 - Letter issued by TNEB regarding availability of Electricity.
11. Ext.P.11 - Passport issued to P.W.15 for handing over the dead body of Kajir Ali at TVMCH, Tirunelveli.
12. Ext.P.12 - Passport issued to P.W.16 for handing over the Express FIR.
13. Ext.P.13 - Passport issued to P.W.16 for handing over the dead body of Shydhoon Beevi at TVMCH, Tirunelveli.
14. Ext.P.14 - Damage certificate for issued by P.W.18.
15. Ext.P.15 - Passport issued to P.W.19 for handing over case properties to Regional Forensic Lab, Tirunelveli on 02.08.2022 for chemical analysis.
16. Ext.P.16 - Passport issued to P.W.20 for handing over the dead body of Cock and Hen at Veterinary Hospital at Sambavarvadakarai.
17. Ext.P.17 - Passport issued to P.W.21 for handing over case properties to Regional Forensic Lab, Tirunelveli on 17.08.2022 for chemical analysis.

18. Ext.P.18 - Passport issued to P.W.23 for having deputed to Seman test of the accused.
19. Ext.P.19 - Passport issued to P.W.27 for production of accused before TVMCH on 31.01.2025 for Medical examination.
20. Ext.P.20 - Passport issued to P.W.28 for obtaining FTA Card form RFSL, at Madurai.
21. Ext.P.21 - Passport issued to P.W.28 for DNA Test of the accused at RFSL, Madurai.
22. Ext.P.22 - Postmortem certificate of Kajir Ali.
23. Ext.P.23 - Postmortem certificate of Shydhoon Beevi.
24. Ext.P.24 - FIR.
25. Ext.P.25 - Forensic Lab report of RFSL, Tirunelveli dated 25.08.2022.
26. Ext.P.26 - Forensic Lab report of RFSL, Tirunelveli dated 24.08.2022.
27. Ext.P.27 - Forensic Lab report of RFSL, Tirunelveli dated 24.08.2022.
28. Ext.P.28 - Forensic Lab report of RFSL, Tirunelveli dated 24.08.2022.
29. Ext.P.29 - Chemical analysis report of Forensic Science Department, Madurai dated 29.03.2022.(Serology report)
30. Ext.P.30 - Chemical analysis report of Forensic Science Department, Madurai dated 29.03.2022.
31. Ext.P.31 - Serology Report of RFSL, Madurai dated 29.03.2022.
32. Ext.P.32 - Forensic Lab report of RFSL, Madurai dated 29.03.2022.
33. Ext.P.33 - DNA Report of RFSL, Madurai dated 11.07.2025.
34. Ext.P.34 - Rough sketch.
35. Ext.P.35 - Inquest Report of Shydhoon Beevi.
36. Ext.P.36 - Inquest Report of Kajir Ali.
37. Ext.P.37 - Section Alteration Report dated 15.07.2022.
38. Ext.P.38 - Birth Certificate of the accused.
39. Ext.P.39 - Viscera Report of Kajir Ali.
40. Ext.P.40 - Viscera Report of Shydhoon Beevi.

41. Ext.P.41 - Form 91 for recovery from Shydhoon Beevi.
42. Ext.P.42 - Form 91 for recovery of M.O.18 & M.O.19 from the dead body of Kajir Ali.
43. Ex.P.43 - Form 91 for recovery of M.O.5,6,7,8 and M.O.9 from the accused.
44. Ext.P.44 - Form 91 for recovery of M.O..10,12,13,14,16,17,
45. Ext.P.45 - Form 91 for recovery of M.O.1,2,3,4 from the scene of occurrence.
46. Ext.P.46 - Details of Call records mobile no.9487842640
47. Ext.P.47 - 65(B) Certificate issued by BSNL, Chennai.
48. Ext.P.48 - Requisition given by the I.O for re-investigating the case.
49. Ext.P.49 - Requisition given to the Dean for collecting blood samples from the accused.
50. Ext.P.50 - Requisition given by the Investigating Officer for DNA Test.
51. Ext.P.51 - Copy of Letter of this Court addressed to the RFSL, Madurai for DNA test.
52. Ext.P.52 - Acknowledgement of RFSL, Madurai.

Material Objects:

01. M.O.1 - Blood stained tiles.
02. M.O.2 - Ordinary tiles.
03. M.O.3 - Pillow cover.
04. M.O.4 - Blue colour dhoti.
05. M.O.5 - Covering Chain.
06. M.O.6 - Covering Chain.
07. M.O.7. - Covering Necklace.
08. M.O.8. - Full sleeve shirt.
09. M.O.9 - Trouser model innerwear.
10. M.O.10 - Log of wood.

11. M.O.11 - Towel.
12. M.O.12 - Jacket.
13. M.O.13 - Inskirt.
14. M.O.14 - Cell phone.
15. M.O.15 - Torch light.
16. M.O.16 - Black stone.
17. M.O.17. - Glass pieces.
18. M.O.18 - Full sleeve shirt.
19. M.O.19 - Trouser.

Accused side evidence: NIL

Accused side document: NIL

PSJ
Tenkasi

PSC. Tenkasi.

Sessions Case No. 171/2024

Draft/ Fair- Judgment

Dated.29.06.2026

