

In the Court of the Judicial Magistrate I, Tirupattur

Present: Tr. K.S.Dinesh, B.A., B.L., (Hons.)

Judicial Magistrate I, Tirupattur

Friday 27th day of March 2026

C.C. No. 174/2019

{ CNR No.TNTU02-003283-2019 }

State rep by.

Sub Inspector of Police,

Tirupattur Town Police Station,

Crime No. 270/2018

....Complainant

--Vs--

1) Manoranjitham W/o. Sanmugam

Mottur village, Baiyanayakkanpatti Post,

Harur Taluk, Dharmapuri District

2) Maheswari W/o. Rajiv (Late)

Gandhi Nagar, Velathur Post,

Bhagalur Taluk, Krishnagiri District.

....Accused

CASE SUMMARY

S. No.	PARTICULARS	DETAILS
1	Period of remand of the accused	A1, A2 10.11.2018 – 05.12.2018
2	Date of filling of final report	26.04.2019
3	Date of Questioning	03.03.2020

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4	Miscellaneous petitions and their results	Nil			
5	Date of Examination in chief and cross examination of a witness	S. No	PW's	Chief	Cross
		1)	Tmt.Manjula	21.12.2020	11.10.2023
		2)	Tmt.Vidhya	21.11.2022	21.11.2022
		3)	Tr. Karthik	14.03.2023	-
		4)	Tmt.Dhurgadevi	03.10.2023	03.10.2023
		5)	Tr. Sasikumar	22.04.2025	22.04.2025
6	Date of examination of accused U/S. 313 Cr.P.C	20.02.2026			
7	Details of abscondence of the accused and his appearance	Nil			
8	Grant of stay by Superior court and results thereof	Nil			

This case taken on file on 26.04.2019 as C.C. No. 174/2019. This case came up before me for the final hearing on 27.03.2026 in the presence of Assistant Public Prosecutor Tmt.Ramani for the prosecution and Tmt.P.Thilaga, Counsel for the accused and on hearing the arguments advanced by either side counsels and on perusal of entire evidence and the documents relied by either side and on available material case records and having stood over for consideration till this day, this court delivered the following.

JUDGMENT

1) This case arose out of charge sheet laid by the Sub Inspector of Police, Tirupathur Town Police Station.

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2) Summary of the Prosecution case :-

The Sub-Inspector of Police, Tirupattur Town Police Station has filed a final report that on 10.11.2018 at evening 6 PM when LW1 was present at Tirupattur bus stand in order to board bus towards Uthangarai, the accused A1, A2 committed theft of Rs.1000/-, which was present in the handbag of LW-1 and thereby committed offence punishable offence u/s.379 IPC.

3) Summon was served to accused. Upon appearance of the accused, the documents relied on by prosecution were furnished free of cost to the accused U/s. 207 Cr.P.C. Thereafter, after providing due time for reflection, the substance of accusation were put forth to the accused and the same was denied by them as false and claimed to be tried. Charges framed against Accused A1, A2 u/s.379 of IPC and the same were read over and explained to the accused.

4) On the side of the prosecution P.W-1 to P.W-5 were examined and Ex.P-1 to Ex.P-8 were marked. Property was produced by prosecution side. On the side of the Accused side, no witnesses were examined.

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5) It is the case of the prosecution side witnesses in brief is as follows:-

P.W-1 :PW-1 is the defacto complainant and the victim in the present case. PW1 deposed that on 10.11.2018, PW1 came to Tirupattur bus stand and was boarding KS private bus, accused A1, A2 stole PW1's purse which he had placed in her bag and one of the accused took Rs.1000/- which was present in the purse and threw the purse away and when accused A1, A2 tried to board another bus, the public persons caught hold of them and they were presented before the police officials and thereafter PW1 lodged Ex.P-1 complaint.

PW2 :- PW2 is the daughter of PW1. PW2 is a hearsay witness who deposed that her mother PW1 boarded KS private bus in the year 2018 and at that time, two ladies have committed theft of her purse and stole Rs.1000/- in the said purse. When PW1 immediately alerted, the said two persons were caught hold by public persons.

PW3 :-PW3 is the observation mahazar witness and signature Exb.P-3 alone was marked.

PW4 :-PW4 is the investigation officer in the present case who received Ex.P-1 complaint and registered Ex.P-4 first information report in Cr.No. 270 of 2018 U/s. 379 of IPC. Thereafter he visited the scene of occurrence and prepared Ex.P-5

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observation mahazar and Ex.P-6 rough sketch in the presence of witnesses and thereafter he recorded of the statement of the witnesses in the present case. Furthermore the property which was produced was recovered and the accused was arrested and their confession statement recorded in the presence of witnesses and the property was sent to Court through Ex.P-7 form 91 and thereafter he completed his investigation and filed final report against the accused U/s. 379 IPC.

PW5 :-PW5 is the confession statement witness and the signature of the confession statement was marked as Ex.P-8.

6) The incriminating portion of prosecution side witnesses were put forth of accused u/s. 313 (1) (b) Cr.P.C and the same was denied by them as false. Thereafter the Accused was provided an opportunity to produce any oral or documentary evidences and the accused did not come forward to provide the same.

7) Now the point that arose for consideration is where the prosecution has proved the guilt of the accused beyond all reasonable doubt ? If so, what would be the sentence to be imposed upon the Accused ?

7.1) In the present case, accused A1, A2 are charged u/s. 379 IPC. Out of the prosecution side witnesses, PW1 is the defacto complainant and the victim in the present case. Furthermore PW1 is the eyewitness to the incident. PW2 is the daughter of PW1. PW3 is an observation mahazar witness. PW4 is an investigation officer in the present case. PW5 is a confession statement and seizure mahazar witness. PW1 who has deposed that on 11.10.2018 when she was trying to board K.A.S private bus at the Tirupattur bus stand, two women who were the accused stole the purse which was present in her bag and committed theft of Rs.1000/- present in the said bag and threw her purse away. Immediately, PW1 has alerted the public and the two accused who tried to run away in other bus was caught hold of by the public and Rs.1000/- was recovered from them and thereafter the accused was produced before the Tirupattur town police station. PW1 in the chief-examination has clearly identified the accused A1, A2 to be the persons who committed theft of her purse at the scene of occurrence on the said date. PW1 who is a victim in the present case has clearly identified the accused to be the persons who have committed the theft. PW5 is a confession statement witness. However PW5 has failed to identify the accused to be the persons involved in the theft. Though PW4 speaks about the accused giving confession statement in the presence of her, PW5 has failed to identify the accused to be the persons who had given the confession statement and the prosecution side has failed to prove that the confession statement was given by the accused at the time of

the incident. Thus the prosecution side has failed to prove the confession statement. Though the prosecution side has failed to prove the confession statement, the accused A1, A2 were caught red-handed and they were clearly identified by the victim PW1 who is also an eye-witness. It is pertinent to note that the incident took place in a public place i.e., a bus stand. However the prosecution side has not produced any evidences to show that the accused were presented the scene of occurrence apart from the evidence of PW1. Furthermore property recovered from the accused by the victim and the public itself. Thus the prosecution side has clearly proved the guilt of the accused under section 379 IPC. Thus section 379 IPC is made out against the accused A1, A2.

08) In the result, the accused A1, A2 found guilty under section 379 IPC and when the accused A1, A2 was questioned regarding the sentencing of punishment to be imposed on them under section 252 Crpc, the accused stated as follows:-

"பொய் வழக்கு"

09) Considering the facts and circumstances of the case and the oral reply by the accused, this court instead of sentencing the accused, called for report from the Probation Officer to ascertain whether the accused could be given the benefit under Probation of Offenders Act.

10) Report obtained from the Probation Officer for Accused A1, A2 being satisfactory, this court is inclined to invoke Probation of Offenders Act and to release the accused A1, A2 under section 4 (1) of the Probation of Offenders Act on probation of good conduct and direct them to execute bond for Rs.10,000/- each along with two surety of like sum and they should keep peace and be of good behavior for ONE YEAR failing which they should appear and receive sentence when called upon during such period. Copy of the judgment is sent to the Probation Officer for observation.

09) The defacto complainant who is the owner of the case property of Rs.1000/- is holding interim custody of the case property C.P. No.255/2018 is ordered to retain the same permanently.

10) If no appeal for the case, the bond executed by the accused to be canceled.

Particulars Under Rule 106 of Criminal Rules of Practice 2019

		Description of the accused					Date of									
Sl. No	Name of the Police Station and Cr.No.	Name	Fathers name or Husband name	Occupation	Residence	Age	Occurrence	Complaint	Apprehension	Release on bail	Commitment	Commencement of trial	Close of trial	Sentence or Order	Service of Copy of Judgment on accused	Explanation of Delay
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1	Tirupathur	Manoranjitham	Shanmugam	-	Mottur	-	10.11.2018	10.11.2018	25.02.2020	05.12.2018	-	21.12.2020	22.04.2025	27.03.2026	-	-
2	Town PS - Cr.No. 270/2018	Maheshwari	Rajiv	-	Gandhi Nagar	-										

Dictated by me, directly typed by the Steno-Typist, and corrected and pronounced by me in the open Court on this 27th day of March 2026.

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Judicial Magistrate No.I,
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Annexure :-
Prosecution side witnesses:-

1)	P.W-1	: Tmt.Manjula
2)	P.W-2	: Tmt.Vidhya
3)	P.W-3	: Tr. Karthik
4)	P.W-4	: Tmt.Dhurgadevi (SI of Police)
5)	P.W-5	: Tr. Sasikumar

Prosecution side Exhibits:-

1)	Ex.P-1	: Complaint
2)	Ex.P-2	: Photo

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3)	Ex.P-3	: 1 st Signature of Observation Mahazar
4)	Ex.P-4	: First Information Report
5)	Ex.P-5	: Observation Mahazar
6)	Ex.P-6	: Rough Sketch
7)	Ex.P-7	: Form 91
8)	Ex.P-8	: 2 nd Signature of 1 st accused confession statement

Defense Side Witness, Exhibits and Material objects : NIL

NOTE :-

- 1) No witness was detained for more than three days without examination.
- 2) The accused was on bail during trial.
- 3) The police had been informed of the judgment.

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