

**IN THE COURT OF JUDICIAL MAGISTRATE, GUDIYATTAM,
VELLORE DISTRICT**

Present: R.Saranya, B.A.,LLB., (Hons), LLM

Judicial Magistrate, Gudiyattam.

On Monday, this 20th day of July, 2026

Calendar Case (C.C) No. 179/2015

in

Crime No. 25 of 2013

<i>Statement as per Rule 106 of the Criminal Rules of Practice, 2019</i>		
1	Serial Number	CC No. 179 of 2015
2	Name of the Police Station and Crime Number of the Offence	State Represented by All Women Police Station, Gudiyatham, Cr.No. 25/2013, U/S- 498 (A) IPC and 4 & 6 of DP Act. Complainant
3	Name	A1-PrathapKumar (47 yrs), S/o Aathimoolam, A2-Aathimoolam (Died) A3-Vinothkumar (43 yrs), S/o Aathimoolam, A4-Mahalakshmi (38 yrs), S/o Aathimoolam, A5-Elangovan (66 yrs), S/o Ponnurangan,
4	Father's Name	
5	Occupation	
6	Residence	
7	Age	

		A6-Sumathi (55 yrs), W/o Elangovan, A7- Preethi (33 yrs), D/o Elangovan, A8-Jeyanthi (54 yrs), W/o Karnan, A9-Karnan (55 yrs), S/o Ekambaram, A10-Anandhi, S/o Prathapkumar, A11- Socrates, A12- Vasanthi, S/o Socrates. All are residing at, No.303, Paper mills, Perambur,Accused A1 to A12.
8.	Occurence	27-07-2010 to 02-05-2012
9	Date of Final Report And Date of Filing of Final Report	16-09-2014
10	Date of Apprehension or appearance	Anticipatory Bail- 27-03-2014
11	Release on bail	Anticipatory Bail- 27-03-2014
12	commitment	Not applicable
13	Details of Criminal	--

	Miscellaneous Petitions (CMP's)		
14	Date of Chief examination of witnesses		Cross examination
	PW1	22-06-2026	---
	PW2	29-06-2026	---
	PW3	02-07-2026	02-07-2026
15	Commencement of Trial		22-06-2026
16	Closure of Trial		02-07-2026
17	Sentence or order		The accused A1, A3 to A12 are not found guilty and acquitted of the charges under section 498 (A) IPC and Section 4 & 6 of Dowry Prohibition Act. This acquittal is recorded under section 248 (1) CRPC.
18	Service of copy of Judgement or Finding on Accused		No, copy of judgment uploaded in CIS Portal.
19	Explanation of delay		Due to non-appearance of accused and Prosecution side failed to produce witness promptly.
20	Property Order		No property has been remanded in this case. Hence, no order as to

		property.
<i>Paragraphs in the judgment assigned continuous paragraph numbers in due obedience of the direction of the Hon'ble Supreme Court of India in BS Hari Commandant vs Union of India and Other (2023 LiveLaw SC 303)</i>		

This case came up for final hearing before me on 20.07.2026 in the presence of Mr.B.Rajan Babu,MA.,B.L., Advocate, Learned Counsel for the accused and the learned Assistant Public Prosecutor Grade II for the State. Having heard both sides. Perused the records and having stood over for consideration till this date, this court delivers the following:

JUDGMENT

I.CASE OF THE PROSECUTION:

1)The case of the prosecution is that the accused A1 is the husband of defacto complainant and the accused A2 to A12 are relatives of her husband. The defacto complainant and the accused A1 got married on 27-10-2010 and they all resided together as joint family and the family members demanded Rs.9,00,000 as dowry from this defacto complainant and tortured her. The family members of A1, also pledged the 45 sovereign gold jewels given to her at the time of marriage by threatening her. On 19-04-2012, the accused A2 and his daughters strangled her neck by demanding Rs.9,00,000 as dowry. on 02-05-2012 also the accused persons brought her to their native Ammanankuppam and assaulted her. Thus, the prosecution filed charge sheet under section 498 (A) IPC and 4 & 6 of DP Act. Thus, the case of the prosecution.

II. THE ACCUSATION AND PLEA OF ACCUSED

2) Upon service of the summons under section 204 of the code of criminal procedure, the accused A2- Aathimoolam reported died and his death certificate was filed and verified before this court. Hence, the charges against A2 stands abated. And appearance of the accused A1, A3 to A12 copies of the final report and documents were given to the accused in compliance with section 207 of the code. After providing them with sufficient opportunity and reviewing the material records, this court prima facie found an offence triable by this court. Consequently, charges framed against the accused A1 to A10 offence u/s 498 (A) IPC and 4 & 6 of DP Act and questioned, accused pleaded not guilty and claimed to be tried. The plea of the accused was recorded and case was posted for trial.

III EVIDENCE ADDUCED BY THE PROSECUTION

3) In order to prove the accusation against the accused, the prosecution examined witnesses, PW1 to PW3. Exhibits P1 to P6 were marked on behalf of the prosecution. No witnesses were examined and no documents were marked on behalf of the defence.

PW 1 is the defacto complainant. PW2 is the eye-witnesses to the incident. PW3 is the Investigation officer in the case.

IV QUESTIONING UNDER SECTION 351 BNSS., 2023

4) The circumstances appearing in the evidence against the accused were put to him and his answer was elicited. The accused replied that the case against him is false. The accused further stated that there are no defence witnesses and evidence.

V POINT FOR DETERMINATION

5) Whether the prosecution has proved beyond all reasonable doubts that the accused A1, A3 to A12 has committed the offences charged against them?

VI APPRECIATION OF FACTS AND EVIDENCE

6) On analysis of evidence of PW1, Anuradha, the defacto complainant in this case, she deposed that A1 is her husband and other accused are her relatives. she stated that she compromised the case between herself and the accused persons and identified only her signature in the complaint.

7) PW2 Sujai, eye-witness to the incident, deposed that PW1 is his sister and stated that his sister gave complaint to police in order to live with her husband and turned hostile.

8) When the complainant of the case and other key witnesses failed to support the prosecution version of the alleged incident and other witnesses of the case itself turned hostile, the prosecution requested to dispense the other witnesses listed in the final report. The same is allowed and other witnesses are dispensed with from examination.

9) Further prosecution filed a petition under section 311 CRPC and prayed to examine Special Sub-Inspector Sridevi as an additional witness instead of investigation officer, SI Jamuna Rani and Inspector Rani and Shanthi, since the SI was died and the Inspector got transferred. PW3, Special Sub-Inspector Sridevi submitted her evidence based on the documents.

VII ANALYSIS

10) On analysis of evidence of PW1 and PW2, both turned hostile. Hence, their evidence will not be helpful in incriminating the accused. On analysis of

evidence of PW1 and PW2, PW1 stated that she compromised the case between herself and her husband i.e., A1 Prathapkumar.

11) PW 3, SSI Sridevi deposed as additional witness and submitted her evidence only based on the documents available in this case. When all the key witnesses of a case turned hostile, except the testimony of PW 3 SSI Sridevi is there on record to prove the offence alleged against him. Yet when PW1, the complainant itself, doesn't uphold the case of the prosecution, a conviction based on sole testimony of PW3 whose evidence is completely based on documents is not lawful. Therefore, from an overall analysis, the prosecution failed to prove the overall charges alleged against the accused beyond reasonable doubt.

VIII.DECISION:

12) The accused A1, A3 to A12 are found not guilty and acquitted of the offences under section 498 (A) IPC and 4 & 6 of DP Act as per section 248 (1) of the Code of Criminal Procedure, 1973. Bonds stand cancelled after the expiry of the appeal period. No property has been remanded in this case. Hence, no order as to property.

This order is dictated by me to the Steno typist, corrected and pronounced by me in open court on this the 20th day of July 2026.

S/d-R.Saranya.,
Judicial Magistrate,
Gudiyatham.

Appendix:

1. List of Prosecution side Witnesses:-

PW-1 Anuradha.

PW-2 Sujai.

PW-3 Sridevi.

2. List of Prosecution side documents:-

Ex.P1 PW1 Signature in the Complaint.

Ex.P2 Complaint.

Ex.P3 First Information Report.

Ex.P4 Observation Mahazar.

Ex.P5 Rough Sketch.

Ex.P6 Alteration Report.

3. Prosecution side of Material Object:

4. List of Accused side Documents and witnesses : NIL

5. List of Material Objects: NIL

//True Copy//

Judicial Magistrate,
Gudiyatham.

