

S U P R E M E C O U R T O F I N D I A
Record of Proceedings

Criminal Appeal No.871/1998

State of Karnataka Appellant (s)

VERSUS

Rangaswamy Respondent (s)

Date : 13/04/2004 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE DR. JUSTICE A.R. LAKSHMANAN

For Appellant (s)
Mr. Sanjay R. Hegde, Adv.
Mr. Anil Kumar Mishra, Adv.

For Respondent (s)
Mr. S. Ravindra Bhat, Adv.
Mr. Naveen R. Nath, Adv.

UPON hearing counsel, the Court made the following

O R D E R

The appeal is dismissed in terms of the signed order.

(Satish K. Yadav) (Kanwal Singh)
Court Master Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 871 OF 1998

STATE OF KARNATAKA
APPELLANT (S)

.....APP

VERSUS

RANGASWAMY
..RESPONDENT (S)

.....

O R D E R

Heard the parties.

The sole respondent was convicted by trial court under Section 302 of the Indian Penal Code (hereinafter referred to as 'IPC') and sentenced to undergo imprisonment for life. He was further convicted under Section 201 IPC and sentenced to undergo rigorous imprisonment for a period of two years. The sentences, however, were ordered to run concurrently. On appeal being preferred by the respondent, the High Court of Karnataka acquitted the respondent of both the charges. Hence, this appeal by special leave.

Undisputedly, in the present case, there is no direct evidence and conviction of the respondent by the trial court was based upon circumstantial evidence. It is well-settled that in a case of circumstantial evidence, there

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must be chain of circumstances and the chain must be complete. In our view, the chain of circumstances was not complete. Therefore, the High Court was quite justified in ordering acquittal of the respondent. In our opinion, the view taken by the High Court was a reasonable and possible view and the same cannot be said to be perverse in any manner so as to be interfered with by this Court. The appeal is accordingly dismissed.

.....J.

(B.N. AGRAWAL)

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.....J.

(Dr. AR. LAKSHMANAN)

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NEW DELHI;
APRIL 13, 2004