

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(s). 520 OF 2006

VASANTH KUMAR & ANR.

Appellant (s)

VERSUS

STATE BY INSPECTOR OF POLICE & ANR.

Respondent(s)

(With appln(s) for impleadment and with office report)

WITH CRIMINAL APPEAL NO. 469 of 2006

(With appln.(s) for bail and impleading party and with office report)

Date: 25/11/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s) Mr. L. Nageswara Rao, Sr. Adv.  
Mr. Arun Anbumani, Adv.  
Mr.Senthil Jagadeesan,Adv.

Mr. K.V. Viswanathan, Sr. Adv.  
Mr. Arun Anbumani, Adv.  
Mr.Senthil Jagadeesan,Adv.

For Respondent(s) Mr. R. Balasubramaniam, Sr. Adv.  
Ms. Promila, Adv.  
Mr. S. Thananjayan,Adv.

Mr. Jayesh Gaurav, Adv.  
Mr. Satya Mitra Garg ,Adv.

UPON hearing counsel the Court made the following  
O R D E R

No orders on applications for impleadment.

The Appeals are allowed.

( Rajesh Dham )  
Court Master

( Indu Satija )  
Court Master

(signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 520 OF 2006

VASANTH KUMAR & ANR.

Appellant (s)

VERSUS

STATE BY INSPECTOR OF POLICE & ANR.

Respondent(s)

WITH

CRIMINAL APPEAL NO. 469 of 2006

O R D E R

Heard learned counsel appearing for the parties.

These Appeals have been filed against the impugned judgments and orders of the High Court of Madras dated 31.03.2006 and 05.04.2006 passed in Criminal Appeal No. 504 of 2002 and Criminal Revision Case No. 146 of 2002.

The facts of the cases have been set in the impugned judgment and order of the High Court and hence we are not repeating the same here.

The trial court acquitted the appellants but in appeal the High Court has reversed that judgment. Hence, these Appeals.

These are cases of :1: circumstantial evidence. The appellants were arrested after two years from the date of incident. The so-called confessional statements are not reliable and there is a very little clinching material against the appellants. Hence, we are of the opinion that benefit of doubt has to be given to the appellants.

In the result, the Appeals are allowed. The impugned judgments and orders of the High Court are set aside.

By order dated 31.07.2006 this Court had granted bail to the appellants in these Appeals. Their bail bonds stand discharged.

.....J.  
(MARKANDEY KATJU)

.....J.  
(GYAN SUDHA MISRA)