

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. 1130 OF 1999

PARAMAN AND ORS.

Appellant (s)

VERSUS

STATE OF TAMILNADU

Respondent(s)

(With application for exemption from filing official translation  
and office report)

Date: 31/03/2005 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE C.K. THAKKER

For Appellant(s)

Mr. R. Venkataramani, Sr.Adv.

Mr. Satya Mitra Garg,Adv.

Mr. Ashok Pnigrahi, Adv.

For Respondent(s)

Mr. R. Gopala Krishnan, Adv.

Mr. Ragavendra S. Srivatsa, Adv.

Mr. Subramonium Prasad,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

During the pendency of the appeal, Appellant No.1-Paraman died,  
as such his appeal abated. In view of this, the present appeal has been pressed on  
behalf of the remaining three appellants.

The appeal is dismissed. Bail bonds of Appellant Nos. 2 to 4, namely,  
Pandi @ Rajapillai, Oosi Arumugam and Rajan, are cancelled and they are  
directed to be taken into custody forthwith to serve out the remaining period of  
sentence, for which compliance report must be sent to this Court within one  
month from the date of receipt of copy of this order by the Trial Court.

[ Alka Dudeja ]  
Court Master

[ Om Prakash ]  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1130 OF 1999

Paraman and Ors.

...Appellant (s)

Versus

State of Tamil Nadu

...Respondent(s)

O R D E R

The four appellants along with six other accused persons, namely, Thandapani,  
Sethu, Oosi Arumugam, Veyilmuthu, Mani, Ravi and Baskaran, were tried and  
by

judgment rendered by the Trial Court all of them were acquitted of all the charges levelled against them. Against the order of acquittal, an appeal was preferred before the High

Court and during the pendency of the appeal, Accused No. 4-Sethu died, as such the

appeal against him abated. Out of the remaining nine persons, the High Court confirmed

the order of acquittal in relation to other accused persons, whereas reversed the same with

regard to the appellants and convicted them under Section 302 read with Section 34 of the

Indian Penal Code and sentenced them to undergo imprisonment for life. Hence, this

appeal.

During the pendency of the appeal, Appellant No.1-Paraman died, as such his

appeal abated. In view of this, the present appeal has been pressed on behalf of the

remaining three appellants.

Having heard the learned counsel for the parties and perused the impugned

judgment, we are of the view that as the order of acquittal by the Trial Court in relation to

Appellant

....2/-

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Nos. 2 to 4 suffered from the vice of perversity, the High Court reversed the same. While

reversing the acquittal, the High Court has given cogent reasoning by placing reliance

upon the two eye-witnesses, namely, P.Ws 1 and 2 and their evidence is corroborated by

medical evidence. We do not find any infirmity in the impugned order.

The appeal, accordingly, fails and the same is dismissed.  
Bail bonds of

Appellant Nos. 2 to 4, namely, Pandi @ Rajapillai, Oosi Arumugam and Rajan, are

cancelled and they are directed to be taken into custody forthwith to serve out the

remaining period of sentence, for which compliance report must be sent to this Court

within one month from the date of receipt of copy of this order by the Trial Court.

.....J.

(B.N. Agrawal)

.....J.

(C.K. Thakker)

New Delhi,

March 31, 2005.