

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1435-1436 OF 2007

GOPAL AND ANR. . . . APPELLANT(S)
VERSUS
THE STATE OF TAMIL NADU RESPONDENT(S)

O R D E R

Heard learned counsel for the parties and also perused the record.

The appellants - Gopal and Chockalingam were tried for murder of one Radhakrishnan. The prosecution mainly relied upon the evidence of P.W-1, the elder brother of the deceased. His statement was recorded at the police station soon after the occurrence giving the names of both the accused. The trial Court disbelieved the evidence of P.W-1 mainly on the ground that his version was not corroborated by other named witnesses P.W-2 and P.W-4.

The High Court has reversed the acquittal and accepted the evidence of P.W.-1.

As regards Appellant No.1- Gopal, the evidence of P.W-1 is also corroborated by fingerprints of the said accused on material objects recovered from the place of occurrence immediately after the occurrence. We, thus, uphold the conviction of Appellant No.1 -

Gopal. As regards Appellant No. 2 - Chockalingam, we give benefit of doubt to him and, accordingly, we set aside his conviction.

The appellants are on bail. The bail bonds of Appellant No.1 - Gopal shall stand cancelled. He is directed to surrender forthwith to serve out the remaining sentence.

The bail bonds of Appellant No. 2 - Chockalingam shall stand discharged.

The appeals are, accordingly, disposed of.

Pending application(s), if any, shall also stand disposed of.

.....J.
[ADARSH KUMAR GOEL]

NEW DELHI
16TH AUGUST, 2017

.....J.
[UDAY UMESH LALIT]

ITEM NO.125

COURT NO.12

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCriminal Appeal No(s). 1435-1436/2007

GOPAL AND ANR.

Appellant(s)

VERSUS

THE STATE OF TAMIL NADU

Respondent(s)

Date : 16-08-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. A. Ramesh, Sr. Adv.
Mr. R. Anand Padmanabhan, Adv.
Mr. V. Vijaya Kumar, Adv.
MR. Pramod Dayal, AOR

For Respondent(s) Mr. M. Yogesh Kanna, AOR
Mrs. Maha Lakshmi, Adv.
Ms. Sujadha Bagadhi, Adv.

UPON hearing the counsel the Court made the following
O R D E RThe appeals are disposed of in terms of the
signed order.

(MADHU BALA)
COURT MASTER (SH)
(Signed order is placed on the file)

(PARVEEN KUMARI PASRICHA)
COURT MASTER