

IN THE COURT OF THE MAGALIR NEETHIMANDRAM
(FAST TRACK MAHILA COURT), TIRUPPUR.

**Present: Tmt. J.P. JAYNTHI, B.Sc., M.L.,
SESSIONS JUDGE, TIRUPPUR.**

TUESDAY, the 17TH day of JULY 2018.

SPECIAL SESSIONS CASE NO.1/2018.

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| 1. Complainant | State represented by,
The Inspector of Police,
Gudimangalam Police Station
Crime No.282/2015 |
| 2. Name of the Accused | 1. Tamilarasan (23/2015),
S/o Kanagaraj @ Vaiyapuri
2. Kangaraj @ Vaiyapuri (50/2015)
S/o Arumugam
3. Neelaveni (48/2015)
W/o Kanagaraj @ Vaiyapuri |
| 3. Charges framed against the A1 | u/s 7 r/w 8, 11 (i) (iv) of Protection of
Children from Sexual Offences Act 2012
and section 323 IPC. |
| A2 | u/s 16 r/w 17 of Protection of Children
from Sexual Offences Act 2012 and
section 506(ii) IPC. |
| A3 | u/s 16 r/w 17 of Protection of Children
from Sexual Offences Act 2012 and sec
506(ii) and 323 IPC. |
| 4. Plea of the Accused 1 to 3 | Not guilty |

5. Findings of the Court

The 1st accused is found not guilty u/s 7 r/w 8, 11(i)(iv) r/w 12 of Protection of Children from Sexual Offences Act 2012 and section 323 IPC, the 2nd accused is found not guilty u/s 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 and section 506(ii) IPC and the 3rd accused is found not guilty sec 16 r/w 17 of Protection of Children from Sexual Offences Act 2012, sec 506(ii) and 323 IPC.

6. Result :

In the result, as the prosecution has failed to prove the guilt of the Accused beyond reasonable doubts, the benefit of doubt is given to the accused, the 1st Accused is found not guilty u/s 7 r/w 8, 11(i)(iv) r/w 12 of Protection of Children from Sexual Offences Act 2012 and section 323 IPC, the 2nd Accused is found not guilty u/s 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 and section 506(ii) IPC and the 3rd Accused is found not guilty sec 16 r/w 17

of Protection of Children from Sexual Offences Act 2012, sec 506(ii) and 323 IPC and they are hereby acquitted under section 235(i) Cr.P.C.

In this case there is no property.

This case coming for final hearing before me on 12.07.2018 in the presence of Tmt. V. Parimala, Special Public Prosecutor for the State, Miss. S. Kanmani, Advocate for the Accused 1 to 3, upon hearing the arguments on both sides, on perusal of the records and having stood over for consideration till this day, this court delivers the following

JUDGMENT

The Inspector of Police, Gudimangalam Police Station has charge sheeted the accused 1 to 3 for the offences under sections 7 r/w 8, 11 (A) (iv) r/w 12, 16 r/w 17 of Protection of Children from Sexual Offences Act 2012, sections 323 and 506 (ii) IPC stating that the minor victim girl Ramya aged 16 years at the time of occurrence was studying in XI standard at RGM Higher Secondary School at Pedhappampatti. The 1st Accused Tamilarasan who was residing near the victim's house was harassing the victim by following her from 1 month prior to the date of occurrence, proposed his love to the

victim and insisted her to accept his love. In continuation of the same on 8.6.2015 at about 11 PM in front of the victim's house situated at Ganesapuram, Somavarpatti within the jurisdiction of Gudimangalam Police Station, the accused 1 to 3 who went in front of the victim's house denied the fact that the 1st accused followed the victim and picked up a quarrel with the victim's father. At that time the 1st accused threatened the victim by saying that he would at any cost marry the victim even by raping her, pulled her hand, pushed her down, caused simple injury over her right leg little finger and thereby caused sexual assault over the minor victim girl. Hence the 1st accused is liable to be prosecuted for the offences under section 7 r/w 8, 11 (A) (iv) r/w 12 of Protection of Children from Sexual Offences Act 2012. The 2nd and the 3rd accused, the parents of the 1st accused have abetted the 1st accused for the aforesaid offence. Hence the accused 2 and 3 are liable to be prosecuted for the offences under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 .

ii. In continuation of the said occurrence the 3rd accused Neelavathi @ Neelaveni pushed the victim's mother Sumathi down and caused her simple injury over her left elbow. Thereby the 3rd accused is liable to be prosecuted for the offence under section 323 IPC.

iii. In continuation of the said occurrence the accused 2 and 3 caused Criminal Intimidation on the victim's parents witness Prabhakaran and witness Sumathi by stating “உன் மகளை நாங்கள் எப்படியும் கூட்டிப்போவோம், தடுத்தால் உங்களை கொலை செய்து விடுவோம்”. Thereby the accused 2 and 3 are liable to be prosecuted for the offence under section 506 (ii) IPC.

2. This case was taken on the file of this court on 12.1.2018. After the appearance of the accused 1 to 3 copies of all the case records relied on by the prosecution was furnished to the accused as per the provisions of section 207 Cr.P.C. After hearing both sides arguments and on perusal of the records as prima facie case was made out, charges were framed against the 1st Accused under sections 7 r/w 8 , 11 (i) r/w 12 , 11 (iv) r/w 12 of Protection of Children from Sexual Offences Act 2012 and section 323 IPC, against the 2nd accused under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 and section 506 (ii) IPC, against the 3rd accused under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012, section 323 and 506 (ii) IPC. When the charges were read over to the accused 1 and 3, explained and questioned, the accused 1 and 3 pleaded not guilty. Hence the case was subjected to trial.

3. In order to prove the guilt of the accused, 5 witnesses were examined on the side of the prosecution as PW1 to PW5. 8 Exhibits were marked on the

side of the prosecution as Ex P1 to Ex P8 and no material objects were displayed on the side of the prosecution.

4. Of the 5 witnesses examined on the side of the prosecution PW1 Ramya is the Complainant and the minor victim girl. PW2 Sumathi is the mother of the victim girl. PW3 Murugesan has been examined as the eye witness to the occurrence. PW4 Sundharraj is the witness to the Observation Mahazar. PW5 Chandra Kantha the Inspector of Police is the Investigation Officer.

5. The oral and documentary evidences adduced on the side of the prosecution would reveal the case as follows :-

PW1 Ramya has deposed that at the time of occurrence she was aged 16 years and that she was studying in XI standard at RGM Higher Secondary School at Pedhappampatti. PW1 has deposed that her father was having a lorry prior to 2 years from the date of occurrence and was doing business with the same. The accused 2 and 3 are the parents of the 1st accused. The 1st accused was employed as the lorry driver by her father in his lorry. Later her father sold the lorry. The 1st accused used to follow PW1 on her way to the school, proposed his love to her and compelled her to accept his love. PW1 informed about the same to her father. PW1's father called the 1st accused's relatives and warned them. Due to this on 8.6.2015 at about 11 PM the accused 1 to 3 came to PW1's house and stated to PW1's father that their

son would not have misbehaved with his daughter. Regarding this there arose a wordly quarrel between them and the scene of occurrence was crowded. In the said wordly quarrel a person in the crowd pushed PW1 down due to which she sustained injury over her right leg little finger. A person among the crowd also pushed PW1's mother Sumathi who was standing near her and caused her injury over her right ear and right knee. Immediately after the occurrence PW1's father took them to the Government Hospital, Udumalpet for treatment. PW1 was under treatment at the Hospital for about 4 days. When PW1 was under treatment at the Hospital the Gudimangalam Police came to the Hospital, enquired PW1, recorded her statement and obtained PW1's signature in the same. As PW1 had sustained injury she did not go through the contents of the said statement in which she affixed her signature before the Police and hence she does not know the contents of the same. The admitted signature of PW1 alone in the statement was marked as Ex P1. PW1 has deposed that her date of birth is 19.8.1999. Ex P2 is the true copy of the birth certificate of the minor victim girl Ramya. As PW1 has failed to support the case of the prosecution she has been turned hostile. PW2 Sumathi has deposed that at the time of occurrence her daughter Ramya was aged 16 years and that she was studying in XI standard at RGM Higher Secondary School at Pedhappampatti. PW2 has deposed that her husband owned a lorry prior to 2 years from the date of occurrence and was

doing business with the same. The accused 2 and 3 are the parents of the 1st accused. The 1st accused was employed as the lorry driver by her husband in his lorry. Later her husband sold the lorry. The 1st accused used to follow PW2's daughter on her way to the School, proposed his love to her and compelled her to accept his love. PW2's daughter informed about the same to PW2's husband who called the 1st accused's relatives and warned them. On 8.6.2015 at about 11 PM the accused 1 to 3 came to PW2's house and quarreled with PW2's husband stating that their son would not have misbehaved with her daughter, a wordly quarrel arose between them and the scene of occurrence was crowded. In the said wordly quarrel a person in the crowd pushed PW2's daughter down due to which she sustained injury over her right leg little finger. A person among the crowd also pushed PW2 who was standing beside her daughter and caused her injuries over her right knee and right ear. Immediately after the occurrence PW2's husband took them to the Government Hospital, Udumalpet for treatment. PW2 and her daughter were under treatment at the Hospital for about 4 days. When PW2 was under treatment at the Hospital, the Gudimangalam Police came to the Hospital and enquired her. As PW2 has failed to support the case of the prosecution she has been turned hostile. PW3 Murugesan has deposed that PW1 Ramya and PW2 Sumathi are his neighbours, that on 8.6.2015 at about 10.00 p.m. – 11.00 p.m. on hearing the noise from his neighbour Prabhakaran's house,

when PW3 went to the scene of occurrence, the scene of occurrence was crowded and PW1 and PW2 were found to be injured. But PW3 does not know who assaulted them and how they sustained injuries. Later Prabhakaran took them to the Government Hospital, Udumalpet for treatment.

6. On 9.6.2015 when PW5 Chandra Kantha, the Inspector of Police was on duty at Gudimangalam Police Station, on the basis of the intimation received from the Government Hospital, Udumalpet PW9 went to the Hospital, examined PW1 Ramya aged 16 years, who was under treatment as an inpatient at the Hospital and recorded her statement. Ex P4 is the statement recorded from the victim Ramya. PW5 came to the Station and registered the case in Crime No. 282/2015 under sections 11 (A) (iv) of Protection of Children from Sexual Offences Act 2012, sections 323 and 506 (ii) IPC and prepared the FIR Ex P5. PW5 sent the FIR along with the Statement of Ramya to the Mahila Court , Tiruppur and the copies of the FIR to her higher officials. PW5 took up the case for investigation, on 9.6.2015 at about 13.00 hours went to the scene of occurrence, observed the scene of occurrence in the presence of witnesses PW4 Sundarrajan and one Kannappan and prepared the Observation Mahazar Ex P3 and the rough sketch Ex P6. PW5 examined the witnesses Prabhakaran, Janakiammal, Murugesan, Kandhasamy, Sundarrajan, Kannappan and recorded their statements. PW5 went to the

Government Hospital, Udumalpet examined the witnesses Ramya and Sumathi who were under treatment at the Hospital and recorded their statements. When PW5 went in search of the accused, on the basis of the secret information received PW5 arrested the 1st accused Tamlarasan on 10.6.2015 at about 11 a.m., who was standing at Kongal Nagar bus stop, brought him to the Station and later sent him for remand. PW5 examined Dr.Sivaprabhu who treated the injured Ramya and Sumathi at the Government Hospital, Udumalpet, recorded his statement and obtained the copies of the Accident Register along with his opinion issued to the injured Ramya and Sumathi. Ex P7 is the copy of the Accident Register along with the opinion of the Doctor issued to PW1 Ramya at the Government Hospital, Udumalpet. Ex P8 is the copy of the Accident Register along with the opinion of the Doctor issued to PW2 Sumathi at the Government Hospital, Udumalpet. In the copies of the Accident register issued to the injured Ramya and Sumathi the Doctor has stated that the injuries sustained by the witnesses are only simple in nature. Later PW5 came to know that the accused 2 and 3 have obtained anticipatory bail from the High Court, Madras. PW5 completed her investigation, obtained the approval from the Deputy Director of Prosecution, Coimbatore and filed the charge sheet against the 1st Accused under sections 7 r/w 8, 11 (A) (iv) r/w 12 of Protection of Children from Sexual Offences Act 2012, against the 2nd accused under sections 16

r/w 17 of Protection of Children from Sexual Offences Act 2012 and 506 (ii) IPC and against the 3rd Accused under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012, section 323 and 506 (ii) IPC. With this the prosecution side evidence was closed by the learned Special Public Prosecutor.

7. When questioned about the incriminating evidences adduced by the prosecution witnesses under section 313(1) (b) Cr.P.C, the accused 1 and 3 denied the entire case as false. No oral or documentary evidences were adduced on the defense side.

8. Now the point for consideration is whether the prosecution has proved the guilt of the 1st Accused under sections 7 r/w 8 , 11 (i) r/w 12 , 11(iv) r/w 12 of Protection of Children from Sexual Offences Act 2012 and section 323 IPC, against the 2nd accused under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 and section 506 (ii) IPC, against the 3rd accused under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012, section 323 and 506 (ii) IPC beyond reasonable doubts ?

9. POINT:-

The case of the prosecution is that the minor victim girl Ramya aged 16 years at the time of occurrence was studying in XI standard at RGM Higher

Secondary School at Pedhappampatti. The 1st Accused Tamilarasan who was residing near the victim's house was harassing the victim by following her from 1 month prior to the date of occurrence, proposed his love to the victim and insisted her to accept his love. In continuation of the same on 8.6.2015 at about 11 PM in front of the victim's house situated at Ganesapuram, Somavarpatti within the jurisdiction of Gudimangalam Police Station, the accused 1 to 3 who went in front of the victim's house were denying the fact that the 1st accused followed the victim and picked up a quarrel with PW1's Father. At that time the 1st accused threatened the victim by saying that he would at any cost marry the victim even by raping her, pulled her hand, pushed her down, caused simple injury over her right leg little finger and thereby caused sexual assault over the minor victim girl. Hence the 1st accused is liable to be prosecuted for the offences under section 7 r/w 8, 11 (A) (iv) r/w 12 of Protection of Children from Sexual Offences Act 2012. The 2nd and the 3rd accused, the parents of the 1st accused have abetted the 1st accused for the aforesaid offence. Hence the accused 2 and 3 are liable to be prosecuted for the offences under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012. In continuation of the said occurrence the 3rd accused Neelavathi @ Neelaveni pushed the victim's mother Sumathi down and caused her simple injury over her left elbow. Thereby the 3rd accused is liable to be prosecuted for the offence under

section 323 IPC. In continuation of the said occurrence the accused 2 and 3 caused Criminal Intimidation on the victim's parents witness Prabhakaran and witness Sumathi by stating “உன் மகளை நாங்கள் எப்படையும் கூட்டிப்போவோம், தடுத்தால் உங்களை கொலை செய்து விடுவோம்”. Thereby the accused 2 and 3 are liable to be prosecuted for the offence under section 506 (ii) IPC.

10. But Contrary to the case of the prosecution the Complainant and the victim PW1 Ramya has deposed that at the time of occurrence she was aged 16 years and that she was studying in XI standard at RGM Higher Secondary School at Pedhappampatti . PW1 has deposed that her father was having a lorry prior to 2 years from the date of occurrence and was doing business with the same . PW1 has contended that the accused 2 and 3 are the parents of the 1st accused and that the 1st accused was employed as the lorry driver by her father in his lorry. PW1 has deposed that later her father sold his lorry. The evidence of PW1 reveals that the 1st accused used to follow her on her way to the School, proposed his love to her and compelled her to accept his love. PW1 has deposed that when she informed about the same to her father, her father called the 1st accused's relatives and warned them. PW1 has contended that due to this on 8.6.2015 at about 11 PM the accused 1 to 3 came to her house and argued with her father that their son would not have misbehaved with his daughter. PW1 has deposed that regarding this there

arose a wordly quarrel between them and the scene of occurrence was crowded. PW1 has contended that in the said wordly quarrel a person in the crowd pushed PW1 down due to which she sustained injury over her right leg little finger. The evidence of PW1 further reveals that a person among the crowd also pushed her mother Sumathi who was standing near her and caused her injury over her right ear and right elbow. PW1 has deposed that immediately after the occurrence PW1's father took them to the Government Hospital, Udumalpet for treatment. PW1 has contended that she was under treatment at the Hospital for about 4 days and that when she was under treatment at the Hospital the Gudimangalam Police came to the hospital, enquired PW1, recorded her statement and obtained PW1's signature in the same. PW1 has deposed that as she had sustained injury she did not go through the contents of the said statement in which she affixed her signature before the Police and hence she does not know the contents of the same. The admitted signature of PW1 alone in the statement was marked as Ex P1. PW1 has further deposed that her date of birth is 19.8.1999. Ex P2 is the true copy of the birth certificate of the minor victim girl Ramya. As PW1 has failed to support the case of the prosecution she has been turned hostile.

11. The evidence of PW2 Sumathi the mother of the victim reveals that at the time of occurrence her daughter Ramya was aged 16 years and that she was studying in XI standard at RGM Higher Secondary School at Pedhappampatti. PW2 has deposed that her husband owned a lorry prior to 2 years from the date of occurrence and was doing business with the same. PW2 has contended that the accused 2 and 3 are the parents of the 1st accused and that the 1st accused was employed as the lorry driver by her husband in his lorry. PW1 has deposed that later her husband sold the lorry. The evidence of PW2 further reveals that the 1st accused used to follow PW2's daughter on her way to the School, proposed his love to her and compelled her to accept his love. PW2 has deposed that when her daughter informed about the same to PW2's husband he called the relatives of the 1st accused and warned them. PW2 has contended that due to this on 8.6.2015 at about 11 PM the accused 1 to 3 came to PW2's house and quarreled with her husband stating that their son would not have misbehaved with her daughter and a wordly quarrel arose between them. PW2 has deposed that at that time the scene of occurrence was crowded and in the said wordly quarrel a person in the crowd pushed PW2's daughter down due to which she sustained injury over her right leg little finger. The evidence of PW2 further reveals that a person among the crowd also pushed PW2 who was standing beside her daughter and caused her injuries over her right elbow and right

ear. PW2 has deposed that immediately after the occurrence her husband took them to the Government hospital, Udumalpet for treatment. PW2 has contended that PW2 and her daughter were under treatment at the hospital for about 4 days, that when PW2 was under treatment at the hospital the Gudimangalam Police came to the Hospital and enquired her. As PW2 has failed to support the case of the prosecution she has been turned hostile.

12. The eye witness to the occurrence examined on the side of the prosecution PW3 Murugesan has deposed that PW1 Ramya and PW2 Sumathi are his neighbours, that on 8.6.2015 at about 10.00 – 11.00 p.m. on hearing the noise from his neighbour Prabhakaran's house, when PW3 went to the scene of occurrence, the scene of occurrence was crowded and PW1 and PW2 were found to be injured. PW3 has contended that he does not know who assaulted them and how they sustained injuries. PW3 has deposed that later Prabhakaran took them to the Government hospital, Udumalpet for treatment.

13. The evidence of PW5 the Investigation Officer reveals that on 9.6.2015 when PW5 was on duty at Gudimangalam Police Station, on the basis of the intimation received from the Government Hospital, Udumalpet PW9 went to the hospital, examined PW1 Ramya aged 16 years, who was under treatment as an inpatient in the hospital and recorded her statement. Ex P4 is the

statement recorded from the victim Ramya. PW5 has deposed that she came to the Station and registered the case in Crime No. 282/2015 under sections 11 (A) (iv) of Protection of Children from Sexual Offences Act 2012 , sections 323 and 506 (ii) IPC and prepared the FIR Ex P5. PW5 has contended that she sent the FIR along with the Statement recorded from the victim to the Mahila Court, Tiruppur and the copies of the FIR to her higher Officials . PW5 has deposed that she took up the case for investigation, on 9.6.2015 at about 13.00 hours went to the scene of occurrence, observed the scene of occurrence in the presence of

witnesses PW4 Sundarrajan and one Kannappan and prepared the Observation Mahazar Ex P3 and the rough sketch Ex P6.

14. The witness to the said Observation Mahazar PW4 Sundharrajan has also corroborated the evidence of the investigation officer and has deposed that on 9.6.2015 at about 1 PM the Gudimangalam Police came to the scene of occurrence, observed the scene of occurrence in his presence and in the presence of one Kannappan and prepared the Observation Mahazar and the rough sketch, that they signed as witnesses in the said Observation Mahazar. Ex P3 is the Observation Mahazar.

15. The Investigation Officer has further deposed that she examined the witnesses Prabhakaran, Janakiammal, Murugesan, Kandhasamy,

Sundarrajan, Kannappan and recorded their statements. PW5 has contended that she went to the Government Hospital, Udumalpet examined the witnesses Ramya and Sumathi who were under treatment at the Hospital and recorded their statements. The evidence of PW5 further reveals that when she went in search of the accused, on the basis of the secret information received she arrested the 1st accused Tamilarasan on 10.6.2015 at about 11 a.m., who was standing at Kongal Nagar bus stop, brought him to the Station and later sent him for remand. The Investigation Officer has contended that she examined Dr. Sivaprabhu who treated the injured Ramya and Sumathi at the Government Hospital, Udumalpet, recorded his statement and obtained the copies of the Accident register along with the opinion of the doctor issued to the injured Ramya and Sumathi. Ex P7 is the copy of the Accident Register along with the opinion of the doctor issued to PW1 Ramya at the Government Hospital, Udumalpet. Ex P8 is the copy of the Accident Register along with the opinion of the doctor issued to PW2 Sumathi at the Government Hospital, Udumalpet. PW5 has deposed that in the copies of the accident register issued to the injured Ramya and Sumathi the doctor has stated that the injuries sustained by the witnesses are only simple in nature. The investigation officer PW5 has further deposed that later she came to know that the accused 2 and 3 have obtained Anticipatory Bail from the Hon'ble High Court, Madras, that she completed her investigation, obtained

the approval from the Deputy Director of Prosecution, Coimbatore and finally filed the charge sheet against the 1st Accused under sections 7 r/w 8 , 11 (A) (iv) r/w 12 of Protection of Children from Sexual Offences Act 2012, against the 2nd accused under sections 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 and 506 (ii) IPC and against the 3rd Accused under section 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 , section 323 and 506 (ii) IPC.

16. Though the oral evidences of the prosecution witnesses PW4 and PW5 and the documentary evidences Ex P2 to Ex P8, adduced on the side of the prosecution incriminates the accused with the crime, the main witnesses in this case the complainant and the aggrieved PW1, the victim, PW2 the mother of the victim and the injured have failed to support the case of the prosecution and have been turned hostile. Therefore it is clear that only because the parents of the victim have colluded with the accused and have compromised the case PW1 and PW2 have failed to adduce incriminating evidences against the accused. Under these circumstances the evidences of PW4 and PW5 itself is not sufficient to prove the guilt of the accused. Therefore this court hereby comes to the conclusion that the prosecution has failed to prove the guilt of the accused beyond reasonable doubts.

17. In the result, as the prosecution has failed to prove the guilt of the accused beyond reasonable doubts, the benefit of doubt is given to the accused , the 1st Accused is found not guilty under sections 7 r/w 8 , 11 (i) r/w 12, 11 (iv) r/w 12 of Protection of Children from Sexual Offences Act 2012 and section 323 IPC, the 2nd accused is found not guilty under section 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 and section 506 (ii) IPC and the 3rd accused is found not guilty under section 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 , sections 506 (ii) and 323 IPC and they are hereby acquitted under section 235 (i) Cr.P.C.

18. In this case there is no property.

Dictated by me to the steno typist, transcribed and typed by her on the computer, corrected and pronounced by me in the open Court on this 17th day of July 2018.

Sd\ -Tmt.J.P.Jaynathi,
Sessions Judge,
Magalir Neethimandram,
(Fast Track Mahila Court),
Tiruppur.

THE PROSECUTION SIDE WITNESSES :-

PW1	Ramya (The Complainant).
PW2	Sumathi.
PW3	Murugesan.
PW4	Sundharrajan.

PW5 Chandhra Kantha, The Inspector of Police.

THE PROSECUTION SIDE EXHIBITS :-

- Ex P1 The admitted signature of PW1 Ramya alone in the Statement.
- Ex P2 The true copy of the birth certificate of the minor victim girl Ramya.
- Ex P3 The Observation Mahazar.
- Ex P4 The Statement recorded from PW1 Ramya.
- Ex P5 The FIR.
- Ex P6 The Rough Sketch.
- Ex P7 The copy of the Accident register along with the opinion of the doctor issued to PW1 Ramya at the Government Hospital, Udumalpet.
- Ex P8 The copy of the Accident register along with the opinion of the doctor issued to PW2 Sumathi at the Government Hospital, Udumalpet .

PROSECUTION SIDE MATERIAL OBJECTS:- NIL

**DEFENSE SIDE WITNESSES, EXHIBITS AND MATERIAL OBJECTS :-
NIL.**

Sd\Tmt.J.P.Jaynthi,
Sessions Judge,
Magalir Neethimandram,
(Fast Track Mahila Court),
Tiruppur.

//True Copy//
Sessions Judge,
Magalir Neethimandram,
(Fast Track Mahila Court),
Tiruppur.

Spl.S.C.No.1/18

Date: 17.07.2018.

Accused 1 to 3 present.
Judgement pronounced in the Open Court. In the result, as the prosecution has failed to prove the guilt of the accused beyond reasonable doubts, the benefit of doubt is given to the accused , the 1st Accused is found not guilty under sections 7 r/w 8 , 11 (i)(iv) r/w 12 of Protection of Children from Sexual Offence Act 2012 and section 323 IPC, the 2nd accused is found not guilty under section 16 r/w 17 of Protection of Children from Sexual Offences Act 2012 and section 506 (ii) IPC, and the 3rd accused is found not guilty under section 16 r/w 17 of Protection of Children from

Sexual Offences Act 2012, sections 506 (ii) and 323 IPC and they are hereby acquitted under section 235 (i) Cr.P.C.

In this case there is no property.

Sd/-Tmt.J.P.Jaynithi
Sessions Judge,
Magalir Neethimandram,
(Fast Track Mahila Court),
Tiruppur.