

CASE NO.:
Appeal (crl.) 275 of 2007

PETITIONER:
Muthupandi and Ors.

RESPONDENT:
State by Public Prosecutor

DATE OF JUDGMENT: 06/02/2008

BENCH:
B.N. AGRAWAL & G.S. SINGHVI

JUDGMENT:
JUDGMENT
O R D E R

Heard learned counsel for the parties.

The appellants were tried and, by judgment rendered by the Trial Court, they were acquitted of the charges. On appeal being preferred by the State of Tamil Nadu, the High Court reversed the order of acquittal and convicted the appellants under Section 302/149 of the Indian Penal Code [hereinafter referred to as \023I.P.C.\024] and sentenced them to undergo imprisonment for life. They have been further convicted under Section 148 I.P.C. and sentenced to undergo rigorous imprisonment for a period of two years. The sentences, however, have been ordered to run concurrently. Hence, this appeal.

The conviction of the appellants is based upon the evidences of two eye-witnesses, namely, Poolpandi [P.W.1] and Marriammal [P.W.2]. We have been taken through the evidence of these two witnesses and we find that they have consistently supported the prosecution case and their evidence is corroborated by medical evidence. In our view,
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- 2 -
as the order of acquittal suffered from the vice of perversity, the High Court was quite justified in reversing the same. In view of these facts, we do not find any ground to interfere with the impugned order.

The appeal, accordingly, fails and the same is dismissed.