

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1481/2015

THE STATE OF KERALA & ANR.

APPELLANT(S)

VERSUS

KATTINDAVIDA SURESH

RESPONDENT(S)

O R D E R

We have heard the learned counsel for the parties.

The respondent was convicted by the trial Court for the major offence punishable under Section 302 of the Indian Penal Code, 1860 (for short, 'IPC') as well as under Sections 307 and 324 of IPC. A charge had also been framed under Section 149 of IPC. The Trial Court had acquitted eight other accused while convicting the respondent alone for the offences punishable under Sections 302, 307 and 324 of IPC.

The High Court on appeal by the respondent re-appreciated the evidence and was pleased to hold that material witnesses such as CW-3 and CW-8 have not been examined and the ocular evidence of PWs 1 to 3 does not match with the medical evidence.

As we find no perversity in the findings rendered by the High

Court while overturning the conviction of the Trial Court and acquitting the respondent, we are not inclined to interfere with the same.

The appeal is dismissed accordingly.

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

.....J.  
[M.M. SUNDRESH]

.....J.  
[RAJESH BINDAL]

NEW DELHI;  
16<sup>th</sup> JANUARY, 2025

ITEM NO.104

COURT NO.9

SECTION II-B

**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). 1481/2015

THE STATE OF KERALA &amp; ANR.

Appellant(s)

VERSUS

KATTINDAVIDA SURESH

Respondent(s)

Date : 16-01-2025 This appeal was called on for hearing today.

**CORAM :** HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE RAJESH BINDAL

**For Appellant(s) :** Mr. C. K. Sasi, AOR  
Ms. Meena K Poullose, Adv.

**For Respondent(s) :** Mr. R. Basant, Sr. Adv. (NP)  
Mr. E. M. S. Anam, AOR

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

The appeal is dismissed in terms of the signed order.

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

(SWETA BALODI)  
COURT MASTER (SH)

(POONAM VAID)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)