

SUPREME COURT OF QUEENSLAND

CITATION: *R v Arumugam* [2018] QSC 312

PARTIES: **R**
(plaintiff)
v
ARUMUGAM, Senthill Kumar
(defendant)

FILE NO: SC No 225 of 2017

DIVISION: Trial Division

PROCEEDING: Sentence

ORIGINATING COURT: Supreme Court at Brisbane

DELIVERED ON: 14 December 2018

DELIVERED AT: Brisbane

HEARING DATE: 14 December 2018

JUDGE: Boddice J

ORDERS:

- 1. With respect to the count of murder on IND225/2018, the defendant is convicted and sentenced to life imprisonment.**
- 2. Conviction recorded.**
- 3. The offence is a domestic violence offence.**
- 4. The 1725 days spent in custody between 26 March 2014 and 14 December 2018 be declared as time served.**

CATCHWORDS: CRIMINAL LAW – PARTICULAR OFFENCES – OFFENCES AGAINST THE PERSON – HOMICIDE – MURDER – where the victim and the defendant met on an arranged marriage site – where the victim did not want to marry the defendant – where the accused’s conduct was premeditated – where the offence was a domestic violence offence

COUNSEL: D Nardone for the Crown
D Walsh for the respondent

SOLICITORS: Director of Public Prosecutions (Queensland) for the Crown
A W Bale & Son for the defendant

- [1] **BODDICE J:** Senthill Kumar Arumugam, you are to be sentenced on one count of murder, being a domestic violence offence.
- [2] To your credit, you pleaded guilty to that offence when arraigned before me today. That plea of guilty has saved the deceased's family the trauma of a trial. It has saved substantial court time, with a trial estimated to take two weeks. By those actions, you have cooperated with the administration of justice.
- [3] Your offending involved a horrendous act of violence. Your victim was a Singaporean national living in Australia on a student visa. You have met her in November 2013 through an arranged marriage website.
- [4] The two extended families met in January 2014. It was intended you would marry. The deceased has reservations. She formed another relationship. You told the deceased if she would not marry you, you would kill yourself.
- [5] In March 2014, you travelled to Australia from South Africa, where you had been working as an engineer. You came with the intention of killing the deceased if she would not proceed with the arranged marriage.
- [6] You made a statement to that effect to a person in South Africa. You asked that person about purchasing an unregistered firearm. When told you would not be able to bring a firearm into this country, you said you would buy a knife and slit the deceased's throat if she was cheating on you. When you arrived in Australia, you did exactly what you said you were going to do.
- [7] On 21 March 2014, you arrived in this country on a tourist visa. You checked into a hotel room. You became frustrated when the deceased would not answer your calls. When you did meet you pressed for your relationship to continue, stating that if you were not together you would be single for the rest of your life.
- [8] Two days later, you met the deceased in your hotel room. During that evening, guests in neighbouring rooms heard screaming and banging – first for about five minutes at 8 pm, and later at approximately 11 pm.
- [9] At 12.10 am on 25 March 2014, you telephoned reception seeking help. When the manager was unable to access the room, police were called. You had told the manager you were bleeding and that your girlfriend was dead.
- [10] When police arrived at the scene at approximately 12.30 am, they found you lying next to the deceased. You admitted to stabbing her but falsely claimed to police that she had asked you to help her die.
- [11] Police found two knives at the scene. Both had blood on them. A bag nearby contained a receipt for the purchase of the larger of the knives earlier that day. It was that knife that caused the injuries sustained by the deceased.
- [12] Those injuries were substantial. Her throat had been slit and she had multiple wounds to other parts of her body. The wounds evidenced frantic attempts by the deceased to protect herself from what was a frenzied attack.

- [13] She sustained 32 stab wounds. Her injuries were entirely inconsistent with your false claim of an agreed suicide pact.
- [14] You also had sustained injuries. A medical assessment revealed that you had suffered two penetrating wounds to the abdomen. There were other, more superficial wounds. A medical assessment supports the conclusion they were self-inflicted, in circumstances where you carefully chose the sites to ensure they were non-life threatening injuries.
- [15] There is no doubt you had the deceased attend that hotel room on the day in question, intent on intentionally taking her life. Your motivation was anger and jealousy at her continuation of a relationship with someone other than yourself.
- [16] Following your arrest, you have received extensive medical and mental health treatment. It is accepted you have, during your incarceration, experienced periods of active psychosis, auditory hallucinations and paranoid and grandiose beliefs.
- [17] Whilst those experiences are accepted by psychiatrists as being genuine psychotic symptoms, you have also exaggerated or feigned symptoms in an unsuccessful attempt to rely on a mental health defence.
- [18] Although you have been diagnosed as having schizotypal personality disorder, narcissistic personality disorder and borderline personality disorder, it is the opinion of those psychiatrists that you were neither deprived nor impaired of any of the relevant capacities at the material time.
- [19] I accept you will require ongoing, long-term psychiatric care and psychological rehabilitation for your recognised mental illnesses.
- [20] Your conduct on the day in question was planned and persistent. The frenzied attack was ferocious. Your intent in taking the life of the deceased involved brutality beyond comprehension.
- [21] There is only one penalty for the intentional taking of the life of another person.
- [22] Senthill Kumar Arumugam, on the count of murder you are convicted and sentenced to life imprisonment. I record a conviction for that count.
- [23] I declare you have been convicted of a domestic violence offence.
- [24] I declare the 1725 days you have served in custody between 26 March 2014 and 14 December 2018 as time served in respect of that sentence of life imprisonment.