

**IN THE FAST TRACK SPECIAL COURT (POCSO),  
THIRUVANANTHAPURAM.**

Present:- Smt. **Anju Meera Birla**, Special Judge.

Monday, 28<sup>th</sup> July, 2025 (6<sup>th</sup> Sravana, 1947)

**SESSIONS CASE No.439/2022**

(Crime No.1773/2021 of Fort Police Station)

Complainant	: State - represented by the Assistant Commissioner of Police, Fort Sub Division, Thiruvananthapuram City. (By <i>Special Public Prosecutor Sri. Vijay Mohan R.S.</i> )
Accused	: Sujith @ Chakkara, aged 21 years (2021), S/o. Sunil Kumar, Venkara Manilil Veedu, Near Mithra Heritage Ayurveda Hospital, Poonkulam Ward, Thiruvallam Village. (By <i>Adv. Sri. Anoop Chandran R.S.</i> )
Charge	: Offences punishable under section 4 r/w 3(a), 6 r/w 5(1) of the POCSO Act Sec. 376(2)(n), 376(3) and 450 of IPC.
Plea	: Not Guilty
Finding	: Guilty
Sentence/order :	

The accused is found guilty of the offences under section 4(2) read with section 3(a), section 6(1) read with section 5(l) of the POCSO Act, section 376(2)(n), section 376(3), section 450 of IPC and is convicted under section 235 (2) CrPC:

1. The accused shall suffer rigorous imprisonment of 20 (twenty) years and fine of rupees fifteen thousand (₹15,000/-), in default to simple imprisonment for a further period of six (6) months under section 6(1) read with section 5(l) of the POCSO Act.

2. The accused shall suffer rigorous imprisonment of 20 (twenty) years and fine of rupees fifteen thousand (₹15,000/-), in default to simple imprisonment for a further period of six (6) months under section 376(3) of IPC
3. The accused shall suffer rigorous imprisonment of 10 (ten) years and fine of rupees five thousand (₹5,000/-) in default to simple imprisonment for a further period of three (3) months under section 450 of IPC.
4. Sentence of imprisonment shall run concurrently
5. Fine amount, if realized, shall be paid as compensation to the victim under S,357(1)(b) CrPC and S.6(2) of POCSO Act.
6. Set off allowed under S.428 CrPC from 23/09/2021 to 20/11/21 and 8/6/22 to 4/11/22 totaling 209 days.
7. MOs 1 to 3 shall be destroyed as per rules after appeal period
8. Recommendation is made under S,357A CrPC to DLSA, Thiruvananthapuram to pay compensation to PW1 as per prevalent rules and schemes. Send copy of judgment to the Secretary, DLSA, Thiruvananthapuram to be placed before the DLSA, Thiruvananthapuram.

### **DESCRIPTION OF THE ACCUSED**

Sl. No.	Name of accused	Father's Name	Religion/Caste	Occupation	Age
1	Sujith @ Chakkara	Sunil Kumar	xx	xxx	21/21

Residence	Occurrence	Complaint	Apprehension	Released on bail	Committal
Venkara Manilil Veedu	6/9/21 to 13/9/21 & 21/9/21	24/2/22	22/9/21 21/4/22	30/10/21 4/11/22	Nil

Commencement of trial	Close of trial	Sentence/order	Explanation or delay
20/7/22	26/7/25	28/7/25	No delay

The Sessions Case coming on for hearing before me on 26/7/2025, upon perusing the records of evidence and proceeding and upon duly considering the same after hearing the Special Public Prosecutor and counsel for the accused on 28/7/2025, I do adjudge and deliver the following:

### **J U D G M E N T**

1. This case is charge-sheeted by the Assistant Commissioner of Police, Fort Sub Division in crime number 1773/2021 of Fort Police Station alleging offences punishable under section 449, 376(2)(n), 376(3) of IPC and section 4(2) read with section 3(a), section 6(1) read with section 5(l), section 12 read with section 11 (iv) of POCSO Act and section 3(1)(w)(i), (ii) and section 3(2)(v) of the SC ST (PoA) Act.

2. The prosecution case in short is as follows:- The accused belonging to forward caste harboured the intention of sexually assaulting CW1 belonging to the scheduled caste community. In furtherance of the same, with the knowledge that the minor CW1 belongs to the Scheduled caste community, the accused stalked CW1 on several occasions. with the intention of sexually assaulting and raping CW1. He followed her when she left house bearing number TC 52/2293 in Nemam, where CW4, the father CW1 was residing to go to Ambala Anugraha house in Manakad Village, where her estranged mother, namely CW3 was residing. Taking advantage of the situation in her family, he committed house trespass with the intent of raping her on 6/9/21 at 11 PM and raped her repeatedly for eight days till 11 PM on 14/9/2021 after living clandestinely in the bedroom of the said Anugraha house bearing number TC 48/631 ATRAD 10(l). After CW1 returned to the house of CW4 in Nemam, the accused followed her and on 21/3/2021 at 4 AM, he committed house trespass into the said TC 49/2558 (new TC 52/2293) and lived with CW1 in the bed room till 4 PM and raped her several times. The accused is

thus alleged to have committed offences punishable under section 449, 376(2)(n), 376(3) of IPC, 4(2) read with section 3(a), 6(1) with section 5(l), section 12 read with section 11(iv) of the POCSO Act and section 3(1)(w)(i), (ii)I and section 3(2)(v) of SC ST(PoA) Act.

3. On the statement made by CW1 on 22/9/2021 to CW30, FIR was registered as crime number 1773/2021 of Fort Police Station, alleging offences punishable under section 376(2)(i) of IPC and section 6 r/w S.5(f) of POCSO Act and section 3(1)(w)(i), 3(1)(w)(ii) of SC ST (PoA) Act. After investigation, the final report was filed by CW31 before the Hon'ble Additional District and Sessions Court of Thiruvananthapuram. Cognizance was taken of the offences under section 449, 376(2)(n), 376(3) of IPC, 4(2) r/w section 3(a), 6(1) r/w section 5(l), section 12 read with section 11(iv) of POCSO Act and section 3(1)(w)(i), (ii) and section 3(2)(v) of SC ST (PoA) Act. It was numbered as SC 439/2022 and made over to this Court.

4. Charge was framed against the accused for offences punishable under section 4 r/w section 3(a), 6 read with section 5(l) of POCSO Act, section 376(2)(n), 376(3) and 450 of IPC. It was read over and explained to the accused in Malayalam to which he pleaded not guilty.

5. From the side of the prosecution, PW1 to PW27 were examined and exhibits P1 to P34, exhibit C1 and MO1 to MO3, were marked in evidence. On the incriminating circumstances, when the accused was examined under section 313 CrPC, after denying the same, he stated that he had been in love with the alleged victim here. He stated that after there had been a POCSO case registered against the stepfather of the victim in relation to the victim, he had had no contacts with her. He further stated that on a day, the father of the victim had called him on his

phone and asked to reach his house at Nemam in the evening for talking to the accused. He further stated that when he reached the said house, the father of the victim and the husband of the sister of her father were present in the house and they physically assaulted him, and in the evening took him to Nemam the police station. There he had been subjected to cruelty by the police in the police station after which a policeman, who was an acquaintance of the father of the victim took him in the police jeep to Fort Police Station, where he was again physically assaulted. He stated that he had been wrongfully restrained in the said Fort Police Station for two days in a cell after which he was produced before the court.

6. After hearing, seeing no circumstances to acquit the accused under section 232 CrPC, the case was proceeded with. There was no oral or documentary evidence produced from the side of the accused.

7. Heard both sides

8. The following points arise for consideration:-

(1) Whether the prosecution proves that the accused on 6/9/2021 at 11 PM after trespassing into Anugraha House in Manakkadu Village from 6/9/2021 to 13/9/2021 and on 21/9/2021 from 4 AM to 6 PM committed penetrative sexual assault into the vagina of the child victim and thereby committed an offence punishable under section 4(2) read with section 3(a) of POCSO Act?

(2) Whether the prosecution proves that the accused during the period by repeatedly committing penetrative sexual assault on the child victim as stated above committed the offence of aggravated penetrative

sexual assault punishable under section 6(1) read with section 5(1) of the POCSO Act?

(3) Whether the prosecution proves that during the afore period and the aforesaid places as alleged, the accused repeatedly raped the minor CW1 and thereby committed an offence punishable under section 376(2)(n) of IPC?

(4) Whether the prosecution proves that the said acts of rape had been committed on the child below 16 years of age an offence punishable under section 376(3) of IPC?

(5) Whether the prosecution proves that the accused criminally trespassed into the said houses with the intention of committing rape punishable with imprisonment for life and thereby committed the offence of house trespass punishable under section 450 of IPC?

(6) Sentence or Order?

9. **Points No.2, 3 and 5:-** These points are considered together for the sake of convenience. Prosecution case has already been referred to. One of the first aspects to be proved. In a case of this nature is the age of the alleged victim. PW1 can be seen to have deposed that her date of birth is on 10/12/2005. This can be seen to be substantiated by exhibit C1 in which also the date of birth is recorded as 10/12/2005. Nothing has been asked of the child disputing the said date of birth and the veracity of the content in exhibit C1. When this is considered in the light of the incident alleged from. 6/9/2021, the victim can be seen to be below 16 years of age. Exhibit C1 was deposed by PW9 which also proves the same date of birth of

the child as per school records. PW13 can be seen to be the registrar of births at death who issued exhibit P 13, which substantiate the date of birth of PW1. This prosecution can be seen to have proved the aspect in relation to age of PW1.

10. PW1 deposed that the accused is a relative of her stepfather who is also known by the name Chakkara. She stated that her mother had been against the relationship. She also stated that once she had filed a POCSO case against her stepfather, she had gone to her father's house in Nemam. She also stated that when her mother was taken ill, she had gone to live with her mother. She stated that after she had talked with the accused on 6/9/21, he had gone to her house and had left only on 13/9/2021, during which time he had lived in her room clandestinely. She deposed that the information was not known to her mother as her mother alone was in the house at that point of time. She stated that between sixth and the thirteenth, she had had physical relationship with the accused several times. It has been argued by the learned counsel for the accused that reference to physical relationship does not necessarily imply a sexual relationship. However, she can be seen to have enumerated during her deposition that there had been penetration of the penis of the accused into her vagina. She stated that the accused had been wearing her clothes at the relevant time which was washed and reused. She stated that she had revealed the presence of the accused in their house to her mother on the 14th, which had led to her mother filing a complaint at Fort Police Station.

11. PW1 further deposed that she had gone to her father's house at Nemam on 19/9/21 and had contacted the accused over telephone. She stated that the accused had reached the house where her father was residing on the 21<sup>st</sup> at 4 AM, and they had a physical relationship. She stated that her father had seen her bedsheet hanging down in her bedroom on the bed, her father had picked up the bedsheet at which point of time the accused was discovered under the bed,

resulting in her father, taking the accused and herself to a police station. She had identified exhibit P1-FIS as the statement made by her to the police and also admitted to her being subjected to medical examination to which she had consented as seen from exhibit P2(a). She also identified her signature in exhibit P3, which can be said to be her statement under section 164 CrPC. The bedsheet on her bed was identified as MO1.

12. During cross examination, she stated that she had been forced by the accused to file a case against her stepfather. To the specific question asked as to whether she had stated to the police as regards whether she had stated other than the statement made of a physical relationship with the accused, PW1 can be seen to have answered in the negative. This cannot be seen to bring out a contradiction as envisaged under section 145 of the Indian Evidence Act in that the writing has not been shown to PW1 in relation to the statement made. She can be seen to have deposed as regards the sexual relationship as discussed above. She further deposed as regards her father having discovered the presence of the accused around 7 PM at night and her father having called his sister and husband to the house and all of them having taken the accused to the police station. This aspect cannot be seen to be a major omission in the light of PW1 having stated not to have made such a statement before the police to strike at the root of the prosecution case. She admitted that the accused had been in the custody of the police on 21/9/21 at 9 PM, unlike seen from the arrest documents as exhibit P21, P22 and P23, wherein the arrest can be seen to have been recorded on 22/9/2021. The court is not sitting in judgment in relation to the question of wrongful confinement of the accused whereby this aspect of arrest cannot be seen to make much difference to the decision at hand.



13. She stated that she had not gone to her house on 22/9/2021 and deposed that she had been taken to the shelter home. The specific question asked as regards whether she had given a statement as regards physical relationship, on 21/9/2021 and 22/9/2021 before the magistrate is seen denied. She said that she had made the statement on 24/10/2021 before the police which is after such statement before the Magistrate. The reason for such a statement can be seen well explained by PW1, though not to a specific question in that regard when she made the statement that she had been in love with the accused. She denied having shown MO1 bedsheet to the police. She admitted that her parents did not like her relationship with the accused. She denied the assertion that her parents had fabricated a false case against the accused. Though she identified MO2 as churidar top worn by her at her father's house at Nemam, she denied having identified the same and stated that it was not shown to her by the police. These aspects are sought to be highlighted by the learned Counsel for the accused to show prejudice caused to the accused and the failure in the prosecution case. When asserting the same, one aspect which stands out is that no evil intention has been attributed to PW1 from the side of the accused in falsely impleading the accused. This goes a long way in adding credibility to the deposition of PW1, the prosecutrix.

14. It is in the circumstance that the place of occurrence as asserted from the side of the prosecution is to be considered when the argument raised is that it has not been proved, This cannot be seen to be of much significance in the light of the finding above that there is nothing to controvert the veracity of PW1 as regards the incident. This is more so in the light of PW1, having genuinely admitted to her love for the accused. The alleged short falls in the investigation cannot be seen to be of such an extent as to strike at the root of the prosecution case to disbelieve PW1.

15. This is more so in the light of the deposition of PW4, who identified the accused in the dock to be the person whom he had found at his house at Nemam. He reiterated the sequence of events as stated by PW1 and supported the prosecution case. He stated that on being confronted, PW1 had divulged the detail of the accused, promising to marry her and also as regards the similar incidents of rape having occurred in the house where his estranged wife was residing. Though he has only hearsay evidence in relation to the aspects of rape, the evidence of this witness assumes much significance in the light of section 7 of Indian Evidence Act. The discovery of the accused from the house of PW4 goes a long way in substantiating the case of the prosecution. In spite of having a specific case that he was called to the house of father of PW1 wherein PW4 and his brother-in-law when he made the statement under section 313 CrPC, the accused does not state any date for the same. This is to be considered with the fact that the accused has a case that he was illegally detained for two days before he was produced before the magistrate is to be considered with the fact that the accused came to be introduced before the Magistrate on 23/1/2025. So, even as per the defence taken, the presence of the accused on 21/9/2023 at the house of PW4 is seen substantiated.

16. Exhibit P29 and P30 which are the FSL report and DNA report show the presence of semen and human spermatozoa on MO1. But it is reported to be of a small quantity to be connected to the accused. The lack of the same cannot be seen to bore a hole in the prosecution case in the light of PW1 having been found to be believable. The counsel for the accused sought to bring the attention to the statement made before the doctor by PW1 on 22/9/2021 as regards the last contact having occurred on 14/9/2021. Prosecution has a case of the victim having been subjected to penetration till 21/9/2021. The procedure to prove contradiction not having been followed in relation to this aspect, this cannot be seen to be of such an effect as to strike at the root of the prosecution case especially when presence of

semen was detected on MO1. As discussed above, there, not being any contradictions brought out in relation to PW1, this aspect cannot be seen to make any difference to the final outcome as regards the guilt of the accused.

17. PW2, who is the mother of PW1 can be seen to have deposed that as she did not suspect her daughter, she would only enter the room and exit it and had never checked under the bed. There is absolutely no question asked of this witness as regards having cleaned up the said bedroom in the said house and this can be attributed to the accused not having been discovered for the eight days that he had been in the house where PW1 was residing with PW2.

18. PW3 can be seen to be the police personnel who collected the sample for FSL examination and signed in exhibit P4 mahasar. PW5 witnessed exhibit P5 and P6 mahasar and nothing has been brought out to doubt the veracity of this witness, though it has been stated that he has signed in the two mahasars dated 22/9/21 and 24/9/21 simultaneously. This aspect cannot be taken at face value to come to a conclusion that the said documents are forged as asserted by the Learned Counsel for the accused. The laches in prosecution cannot be seen to be such as to throw out the entire prosecution case. The scene of occurrence can be seen to have been validly proved by the prosecution through the deposition of PW1 whereby, there cannot be seen to be any reason to suspect the said mahasar. PW6 can be seen to have deposed as regards exhibit P7 mahasar. PW7 deposed as regards the caste certificate issued as exhibit P8 and P9 in relation to the victim - PW1 and the accused. There being no allegation as regards the accused having entered into a physical relationship with her on account of her belonging to any particular caste, there does not appear to be much significance to be associated with this certificate.

19. There is absolutely no dispute as regards the father and mother of PW1, not residing in the addresses stated whereby by PW8 in relation to the residence of the father of PW1 living on rent, pales into insignificance. PW10 deposed as regards the potency certificate of the accused as per exhibit P11. The accused does not have a case of him being impotent whereby Exhibit P11 can be accepted at face value. PW11 can be seen to be the Assistant Professor with the forensic department of Medical College in Thiruvananthapuram, and the evidence of this witness cannot be seen to have much relevance in the light of discussion on exhibit P29 to P30 above. Exhibit P12 ownership certificate in relation to the residence of the father of PW12 does not require much discussion in the light of the earlier discussion.

20. PW 25 can be seen to be the Doctor who examined PW1 and deposed as regards the tear in the Hymen, which was old in exhibit P2 thereby substantiating the case of penetration. All the remaining witnesses are official witnesses and their evidence is not discussed in detail in the light of the discussion above. In spite of there not being any biological evidence connecting the accused to the crime, the deposition of PW1 as well as the presence of semen on MO1 and the very statement of the accused to be present at the house of PW1 on 21/9/2021 can be seen to substantiate the case of the prosecution which require no further discussion in relation to the other witnesses. Prosecution can be seen to have discharged its burden of proof in the light of the discussion above.

21. There being no evidence from the side of the accused and in the light of the admission stated at the time of making his statement under section 313 CrPC as well as admitting the relationship with PW1, the accused cannot be seen to have rebutted presumption under sections 29 and 30 of the POCSO Act. The prosecution

can be seen to have established its case in a convincing manner. Thus, these points are found in favour of the prosecution.

22. **Points No.1 and 4:-** These points are considered together for the sake of convenience. In the light of the discussion above, prosecution can be seen to have been successful in proving penetration as asserted by the prosecution. The age of PW1 being below 16 years can also be seen to have been proved by the prosecution as discussed above. Thus, these points are found in favour of the prosecution.

23. **Point No. 5:-** On the question of criminal trespass into the houses, where the parents of PW1 were residing can be seen substantiated through the deposition of PW1. The accused can be seen to have gained access to both houses in the early hours of morning or night and even if it were to be seen that the doors had been opened to him by PW1, his grooming of PW1 to do the same would take away the aspect of a lawful entry into the said houses. Section 441 of IPC defines criminal trespass as whoever enters into or upon property in the possession of another with intent to commit an offence or to intimidate, insult, or annoy any person in possession of such property, or having lawfully entered into or upon such property, unlawfully remains there with intent, thereby to intimidate, insult, or annoy, any such person, or with intent to commit an offence is said to commit criminal trespass. When the criminal trespass is into a place used for human dwelling, it is house trespass as per section 442 of IPC. The accused can be seen to have entered the respective houses of both parents of PW1 with the intent of committing penetrative sexual assault and raping her. This would squarely bring the act of the accused within the purview of criminal trespass under law. In the circumstances, this point is found to have been proved by the prosecution.

24. **Point No. 6:-** In the light of the discussion above, prosecution can be seen to have proved the case alleged whereby this point is found in favour of the prosecution.

25. In the result, the accused is found guilty of the offences under section 4(2) read with section 3(a), section 6(1) read with section 5(l) of the POCSO Act, section 376(2)(n), section 376(3), section 450 of IPC and is convicted under section 235 (2) CrPC.

Dictated on Google Docs, corrected and pronounced by me in open Court on this the 28<sup>th</sup> day of July,2025

Sd/-  
**ANJU MEERA BIRLA**  
SPECIAL JUDGE

Heard the accused on the question of sentence. He pleaded the court to take into account his young age as well as the fact that he is the main source of livelihood in his family comprising his elderly and sick grandmother, unemployed wife and young child of 1.5 years. He is the sole bread -winner in his family. Both his parents have passed away. The learned Special Public Prosecutor sought maximum punishment to be imposed on the accused, taking into account, the fact that he has continued to live in the house of the mother of PW1 and was discovered from the house of the father of PW1, The learned Special Public Prosecutor sought to bring to the attention of the court the very fact that PW1 had been groomed by the accused to file a case against the stepfather of PW1 as stated by her. The PO Act cannot be seen to apply to the case at hand in the light of minimum punishment prescribed of 20 years under section 6 of the POCSO Act. In the event of aggravated penetrative sexual assault having been found, applying section 71 of IPC to the case at hand, I am of opinion that no sentence needs to be imposed under section 4(2) r/w section 3 (a) of the POCSO Act. Applying section 42 of the POCSO Act, no separate punishment is imposed under section 376(2)(n) of IPC. There not being any specific provision under section 5 as regards, penetrative sexual assault on child below 16 years, the specific provision being in relation to child under 12 years of age, sentence ought to be imposed under section 376(3) of IPC.

In the result, the accused is sentenced as follows:

1. The accused shall suffer rigorous imprisonment of 20 (twenty) years and fine of rupees fifteen thousand (₹15,000/-), in default to simple imprisonment for a further period of six (6) months under section 6(1) read with section 5(l) of the POCSO Act,

2. The accused shall suffer rigorous imprisonment of 20 (twenty) years and fine of rupees fifteen thousand (₹15,000/-), in default to simple imprisonment for a further period of six (6) months under section 376(3) of IPC. The accused shall suffer rigorous imprisonment of 10 (ten) years and fine of rupees five thousand (₹5,000/-) in default to simple imprisonment for a further period of three (3) months under section 450 of IPC.
3. Sentence of imprisonment shall run concurrently
4. Fine amount, if realized, shall be paid as compensation to the victim under S,357(1)(b) CrPC and S.6(2) of POCSO Act.
5. Set off allowed under S.428 CrPC from 23/09/2021 to 20/11/21 and 8/6/22 to 4/11/22 totaling 209 days.
6. MOs 1 to 3 shall be destroyed as per rules after appeal period
7. Recommendation is made under S,357A CrPC to DLSA, Thiruvananthapuram to pay compensation to PW1 as per prevalent rules and schemes. Send copy of judgment to the Secretary, DLSA, Thiruvananthapuram to be placed before the DLSA, Thiruvananthapuram.

Dictated on Google Docs, corrected and pronounced by me in open Court on this the 28<sup>th</sup> day of July, 2025

Sd/-  
**ANJU MEERA BIRLA**  
SPECIAL JUDGE

### **APPENDIX**

Prosecution witnesses:

- PW1 : Child victim - 26/12/24  
 PW2 : Mother of PW1 - 22/1/25  
 PW3 : Ashokan T., SI - 6/2/25  
 PW4 : Father of PW1 – 20/2/25  
 PW5 : Manju Raj T., UST Driver - 1/3/25



- PW6 : Prince – 1/3/25  
 PW7 : S. Shaji, Retd. Tahsildar - 1/3/25  
 PW8 : Jayadevan, Retd. KSRTC - 1/3/25  
 PW9 : Sreekumari R., Principal, Mannam Memorial Residential HSS, Neeramankara, Tvp. - 10/3/22  
 PW10 : Dr.Gopi Krishna U.R., Casualty Medical Officer (NHM Doctor), Fort Govt. Taluk Hospital, Tvp. - 10/3/25  
 PW11 : Dr. Salini R., Doctor - 10/3/25  
 PW12 : Anwar Hussain K.S., Assistant Secretary - 10/3/25  
 PW13 : Santhosh, OPH 1<sup>st</sup> - 10/3/25  
 PW14 : Baiju N., Assistant Engineer, KSEBL - 10/3/25  
 PW15 : Balambika, Gr.ASI - 7/4/25  
 PW16 : Jimla Rassalamma J.L., Gr.ASI - 7/4/25  
 PW17 : Dr.Shano P., Jr. Consultant, Koothuparaba, Kannur - 21/4/25  
 PW18 : Shyam Mohan M., CPO - 21/4/25  
 PW19 : Vinod V.P., Gr.ASI – 29/4/25  
 PW20 : Santhosh Kumar, Gr.SI – 29/4/25  
 PW21 : Sunil Kumar V.P., SI - 3/5/25  
 PW22 : Jaya B, Retd. Gr.SI - 3/5/25  
 PW23 : Sheeja S., Assistant Director, Biology, FSL, Tvp. - 6/5/25  
 PW24 : Aswathy Anilkumar, Scientific Officer (Biology), FSL, Tvp. - 6/5/25  
 PW25 : Dr.Rakhi Chandran, Doctor – 9/5/25  
 PW26 : S.Shaji, Dy.SP - 4/6/25  
 PW27 : Shibu M., Revenue Inspector - 21/6/25

**Prosecution Exhibits:**

- P1 : First Information Statement dated 21/9/21 proved by PW1 on 26/12/24  
 P2 : Medico-Legal Certificate of victim dated 22/9/21 proved by PW25 on 9/5/25  
 P2(a) : Signature of Medico-Legal Certificate of victim dated 22/9/21 proved by PW1 on 26/12/25  
 P3 : S.164 CrPC statement dated 22/9/21 proved by PW1 on 26/12/24  
 P4 : Sample mahazar of victim dated 3/10/21 proved by PW3 on 6/2/25  
 P5 : Scene mahazar dated 22/9/21 proved by PW5 on 1/3/25  
 P6 : Scene mahazar dated 24/9/21 proved by PW5 on 1/3/25  
 P7 : Scene mahazar dated 22/9/21 proved by PW6 on 1/3/25  
 P8 : Caste certificate (victim) dated 13/10/21 proved by PW7 on 1/3/25  
 P9 : Caste certificate (accused) dated 12/10/21 proved by PW7 on 1/3/25  
 P10 : Rent Deed dated 15/9/21 proved by PW8 on 1/3/25  
 P11 : Potency certificate dated 23/9/21 proved by PW10 on 10/3/25  
 P12 : Affidavit dated 8/11/21 proved by PW12 on 10/3/25  
 P13 : Birth Certificate dated 29/9/21 proved by PW13 on 10/3/25

- P14 : KSEB- Certificate dated 22/11/21 proved by PW14 on 10/3/25  
P15 : Rent Deed mahazar dated 3/11/21 proved by PW18 on 21/4/25  
P16 : Sample mahazar (accused) dated 23/9/21 proved by PW19 on 29/4/25  
P17 : Dress mahazar (victim) dated 22/9/21 proved by PW21 on 3/5/25  
P18 : Dress mahazar (accused) dated 22/9/21 proved by PW21 on 3/5/25  
P19 : First Information Report dated 22/9/21 proved by PW22 on 3/5/25  
P20 : Section adding report dated 22/9/21 proved by PW22 on 3/5/25  
P21 : Arrest memo dated nil proved by PW22 on 3/5/25  
P22 : Inspection memo dated 22/9/21 proved by PW22 on 3/5/25  
P23 : Custody memo dated 22/9/21 proved by PW22 on 3/5/25  
P24 : Address report of the accused dated nil proved by PW22 on 3/5/25  
P25 : Property list dated 22/9/21 proved by PW22 on 3/5/25  
P26 : Property list dated 22/9/21 proved by PW22 on 3/5/25  
P27 : Property list dated 22/9/21 proved by PW22 on 3/5/25  
P28 : Property list dated 23/9/21 proved by PW22 on 3/5/25  
P29 : FSL report (Biology) dated 30/9/24 proved by PW23 on 6/5/25  
P30 : DNA report dated 30/9/24 proved by PW24 on 6/5/25  
P31 : Forwarding note dated nil proved by PW26 on 4/6/25  
P32 : Form 15 dated 3/11/21 proved by PW26 on 4/6/25  
P33 : Property list dated 4/10/21 proved by PW26 on 4/6/25  
P34 : Section correction report dated 2/9/21 proved by PW26 on 4/6/25  
P35 : Scene plan proved by PW27 on 21/6/25  
P36 : Ownership certificate dated 2/11/21 proved under section 294 CrPC on 21/6/25

**Material Object:**

- MO1 : Bed sheet proved by PW1  
MO2 : Churidar top proved by PW22  
MO3 : Track suit of accused proved by PW1

**Court Exhibit:**

- C1 : Copy of SSLC Certificate proved by PW9 dated 10/3/25

Defence Exhibits : Nil

Defence witness : Nil

Sd/-

**ANJU MEERA BIRLA**  
SPECIAL JUDGE

// True Copy //

**ANJU MEERA BIRLA**  
SPECIAL JUDGE

Judgment in SC 439/2022  
Dated: 28/7/2025