



**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, AHERI,
DISTRICT-GADCHIROLI**

(Presided over by Amolkumar A. Deshpande)

Regular Criminal Case No. 113/2022

PROSECUTION:

State of Maharashtra
through Police Station Officer,
Police Station, Bhamragad,
District – Gadchiroli.

- V E R S U S -

ACCUSED:

- 1) Bapu alias Ramji Dhoge Watte,
Age about 30 years, Occup.: Naxal Member
Resident of Nelgunda, Taluka - Bhamragad,
District Gadchiroli.
- 2) Maroti alias Antu alias Anturam alias Manik
Sadhu Gawade
Age about 32 years, Occup.: Naxal Member
Resident of Kaneli, Taluka - Dhanora,
District Gadchiroli.

Appearance :

Learned A.P.P. Mr. Sudhakar K. Paradhi, for the prosecution.
Learned Advocate Mr. Udayprakash S. Galbale for the accused.

Order Below Ex.01
(Passed on 23rd November 2022)

1. The accused are given in custody of The Superintendent of Jail, Nagpur, since arrest.

2. The accusation against accused are of offences punishable under sections 302, 364, 324, 143, 147, 148, 149, 120B of Indian Penal Code, 1860, 4/25 of Arms Act and 16, 18 and 20 of U.A. P. Act.
3. Perusal of police papers make it clear that, the offence is prima facie made out. Prosecuted facts and police papers show that the accused committed murder of deceased Vinod Madavit i.e. son of informant Gopichand Sakharam Madavi by gathering naxal members on the count that he was assisting to the Police. So, cognizance of the offences punishable 302, 364, 324, 143, 147, 148, 149, 120B of Indian Penal Code, 1860, 4/25 of Arms Act and 16, 18 and 20 of U.A. P. Act must be taken and process is required to be issued against the accused, for the said offences.
4. The offences under section 302 of Indian Penal Code, 1860 and 16, 18 and 20 of U.A. P. Act are exclusively triable by the Honourable Court of Sessions in view of Schedule I Part-I of Code of Criminal Procedure, 1973. Therefore, this Court must commit the present case in view of section 209 of Code of Criminal Procedure, 1973.
5. For the compliance under section 207 of Code of Criminal Procedure, 1973 necessary directions were given to the PSO of Bhamragad Police Station to deliver the set of copies of police papers to the accused. The Endorsement of Superintendent Central Jail, Nagpur (Ex. 04 and 05) shows that the copies of police papers were received by accused persons on 21.11.2022. Thus, the compliance under section 207 of Code of Criminal Procedure, 1973 is done and now the case can be committed to the Court of Honourable Sessions Judge, Gadchiroli.
6. The record of this case be sent to the Court of Honourable Sessions Judge Gadchiroli along-with documents, if any, which are to be produced in evidence. Similarly, PSO of Bhamragad Police Station is directed to produce the available muddemal properties in the

meanwhile, [or any clarification as to status of the articles] so that those could also be sent to Honourable Court of Sessions, Gadchiroli.

7. The Assistant Superintendent (Finance) of this Court must note and ensure that the sealed envelope containing statements of witnesses (so recorded in view of section 164 of Code of Criminal Procedure, 1973), **if any**, must be attached to the case record in sealed condition. **Herein fail not.**
8. Notify learned District Government Prosecutor about this committal of this case to the Court of Honourable Sessions Judge, Gadchiroli.
9. The Superintendent of Jail, Nagpur is directed to produce the accused before the Honourable Court of Sessions, Gadchiroli, as and when directed by it and firstly on 06.12.2022
10. The Warrant of Commitment is accordingly issued authorising custody of the accused today onwards.
11. Hence, this Order is passed today when the accused were produced by the Jail Administration, Nagpur through Video Session using *Google Meet* Platform.

Date- 23.11.2022

[Amolkumar A. Deshpande]
Judicial Magistrate First Class, Aheri
[JO Code – MH02091]

CERTIFICATE

I affirm that the contents of this PDF file order are same word to word as per the original Judgment or Order.

Name of the stenographer :- J.A. Gadekar, Grade -III.

Name of the Court :- C.J.J.D. & J.M.F.C. Aheri.