

KABG010051922024



IN THE COURT OF THE HON'BLE III ADDL. SESSIONS JUDGE

THE EXCLUSIVE SPECIAL COURT

constituted for trying offence under Scheduled Castes
& Scheduled Tribes [Prevention of Atrocities] Act.

AT: BELAGAVI

[Trial Jurisdiction]

DATED: 27th DAY OF JUNE 2026

BEFORE:

Ms. SAVITHA KUMARI. N. B. A. L. , LL. B. ,

In The Matter of Special Case Under Scheduled Castes & Scheduled
Tribes [Prevention Of Atrocities] Act in

Spl. Case. No. 336 of 2024

BETWEEN:

State of Karnataka,

Complainant

AND

Shri. Rafiq Lalsab Bepari,
& 5 others.

Accused

AND

Victim

Miss.X

Informant

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Form No. 8 [Criminal] Calendar of Original Cases Ch. XII, R-1 [1]
Criminal Rules of Practise

I N D E X

Sl No	Calendar Of Events	Details
1.	Serial No. Case	Crime No. 164 of 2024
		Spl. Case. No. 336 of 2024
2.	Name of Complainant:	Victim
3.	Name of the Accused	
	First Accused [in JC]	Shri. Rafiq Bepari,
	Second Accused Split up	Shri. Adil Ontanal

	Third Accused Split up	Shri. Sohail Tahasildar
	Fourth Accused Split up	Shri. Maktum Tahasildar
	Fifth Accused In JC	Shri. Umar Allimatti
	Sixth Accused on bail	Shri. Kousar Bepari
4.	Father of Accused No. 1	Shri. Lalsab Bepari
	Father of Accused No. 2	Shri. Madarsab Ontanal
	Father of Accused No. 3	Shri. Babusab Tahasildar
	Father of Accused No. 4	Shri. Babusab Tahasildar
	Father of Accused No. 5	Shri. Aminsab Allimatti
	Husband of Accused No.6	Shri. Rafiq Bepari
5.	Calling of Accused	No calling name
6.	Age of the Accused at the time of incident	
	Age of Accused No. 1	33 years
	Age of Accused No. 2	29 years
	Age of Accused No. 3	23 years
	Age of Accused No. 4	20 years
	Age of Accused No. 5	29 years
	Age of Accused No. 6	22 years
7.	Residence of accused.	
	Residence of first accused	Gandhi Nagar[Goutan] Munavalli, Taluk: Savadatti, District: Belagavi.
	Residence of Second	Gandhi Nagar[Goutan]

	accused	Munavalli, Taluk: Savadatti, District: Belagavi.
	Residence of Third accused	Gadag, Taluk & District: Dharawad, Also, at Gandhi Nagar [Goutan] Munavalli, Taluk: Savadatti, District: Belagavi.
	Residence of Fourth accused	Gadag, Taluk & District: Dharawad, Also, at Gandhi Nagar [Goutana] Munavalli, Taluk: Savadatti, District: Belagavi.
	Residence of Fifth accused	Gandhi Nagar[Goutan], Munavalli, Taluk: Savadatti, District: Bela- gavi.
	Residence of Sixth accused	Gandhi Nagar[Goutana] Munavalli, Taluk: Savadatti, District: Bela- gavi.
8.	Offence Complained of	Offence under Section 143, Section 147, Section 344, Section 354 C, Sec- tion 376[2][n], Section 341, Section 420, Section 504, Section 506 read with Section 149 of Indian Pe- nal Code and Under Sec- tion 3[1][r], Section 3[1] [w][i], Section 3[2][v] and Section 3[2][va] of Sched- uled Castes and Sched- uled Tribes [Prevention of Atrocities] Act. Section 66-E of Information Technology Act and

		Section 5 of the Karnataka Protection of Right Freedom of Religion Act.
9.	Date of Occurrence	03-04-2024
10.	Date of Complaint or Report	18-04-2024
11.	Date of Arrest by the Police	A-1 & 6: 21-04-2024
12.	Date of First appearance of Accused Before Court	A-1 : 26-06-2024 A-5 : 25-07-2024 A-6 : 09-09-2024
13.	Date of commencement of Trial	19-03-2025
14.	Date of Closing of Trial	16-05-2026
15.	Result of Trial	A-1 Convicted. A-5 and A-6 Acquitted.

SAVITHA KUMARI. N.
III ADDL. SESSIONS JUDGE
EXCLUSIVE SPECIAL COURT
constituted for trying offence under
Scheduled Castes & Scheduled Tribes
[Prevention of Atrocities] Act.
BELAGAVI

IN THE COURT OF THE HON'BLE III ADDL. SESSIONS JUDGE
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[Trial Jurisdiction]

DATED: 27th DAY OF JUNE 2026

BEFORE:

Ms. SAVITHA KUMARI. N. B. A. L. , LL. B. ,

In The Matter of Special Case Under Scheduled Castes & Scheduled
Tribes [Prevention Of Atrocities] Act in
Spl. Case. No. 336 of 2024

BETWEEN:

State of Karnataka,
Represented by
The Station House Officer,
Savadatti Police,
Taluk: Belagavi, District Belagavi.
[By Learned Special Public Prosecutor]

Complainant

AND

Victim Miss. X,
In order to shield the
Identity of the Victim
the name and address
is not mentioned.

Informant

AND

Shri. Rafiq Bepari,
Son of Shri. Lalsab Bepari,
Aged about 33 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.

Accused No. 1

Shri. Adil Ontanal,
Son of Shri. Madarsab Ontanal
Aged about 29 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.

Accused No. 2
[split up]

Shri. Sohail Tahasildar,
Son of Shri. Babusab Tahasildar,
Aged about 23 years,
Resident of Gadag,
Taluk & District: Dharwad,
Now at Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.

Accused No. 3
[split up]

Shri. Maktum Tahasildar,
Son of Shri. Babusab Tahasildar,
Aged about 20 years,
Resident of Gadag,
Taluk & District: Dharwad,
Now at Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.

Accused No. 4
[split up]

Shri. Umar Allimatti,
Son of Shri. Aminsab Allimatti,
Aged about 29 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.

Accused No. 5

Smt. Kousar Bepari,
Wife or Daughter of Shri. Rafiq Bepari,
Aged about 22 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.
[A-1,4 to 6 Rep by Adv. Shri. S. B. P.]
[A-2 and 3 : split up]
[A-5 is in JC]

Accused No. 6

JUDGMENT
UNDER SECTION 235[1] OF THE CODE OF CRIMINAL
PROCEDURE

[UNDER SECTION 258[1] OF THE BHARATIYA NAGARIKA
SURAKSHA SANHITA].

The six accused in this case is Charged with offence punishable under: - Section 143 Section 147 Section 149 Section 344 of Section 376[2][n], Section 354[c], Section 341, Section 420, Section 504, Section 506, Indian Penal Code and Section 3[1][r], Section 3[1][w][i], Section 3 [2] [va] Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act, Section 66-E of Information Technology Act 2008, Section 5 of Karnataka Protection of Right of freedom of Religion Act.

Penal Provision	Description of Offence
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Section 143 of Indian Penal Code.	Whoever is a member of an unlawful assembly, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.
Section 147 of Indian Penal Code.	Whoever is guilty of rioting, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.
Section 344 of Indian Penal Code.	Whoever wrongfully confines any person for ten days, or more, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.
Section 354[c] of Indian Penal Code.	Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to five years, and shall also be liable to fine.
Section 376[2] [n] of Indian Penal Code.	Whoever, except in the cases provided for in sub-section (2), commits rape, shall be punished with rigorous imprisonment of either description for a term which shall not be less than ten years, but which may extend to imprisonment for life, and shall also be liable to fine.

Section 341 of Indian Penal Code.	Whoever wrongfully restrains any person shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.
Section 420 of Indian Penal Code.	Whoever cheats and thereby dishonestly induces the person deceived to deliver any property to any person, or to make, alter or destroy the whole or any part of a valuable security, or anything which is signed or sealed, and which is capable of being converted into a valuable security, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.
Section 504 of Indian Penal Code.	Whoever intentionally insults, and thereby gives provocation to any person, intending or knowing it to be likely that such provocation will cause him to break the public peace, or to commit any other offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.
Section 506 of Indian Penal Code.	Whoever commits, the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both; If threat be to cause death or grievous hurt, etc.

	— And if the threat be to cause death or grievous hurt, or to cause the destruction of any property by fire, or to cause an offence punishable with death or imprisonment for life, or with imprisonment for a term which may extend to seven years, or to impute, unchastity to a woman, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.
Section 149 of Indian Penal Code.	Every member of unlawful assembly guilty of offence committed in prosecution of common object.
Section 3[1][r] of Scheduled Caste and Scheduled Tribe [Prevention of Atrocities] Act.	Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe- intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
Section 3[1][w][i] of Scheduled Caste and Scheduled Tribe [Prevention of Atrocities] Act.	Whoever (i) intentionally touches a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe, when such act of touching is of a sexual nature and is without the recipient's consent. (ii) uses words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that

	she belongs to a Scheduled Caste or a Scheduled Tribe.
Section 3[2][v] of Scheduled Caste and Scheduled Tribe [Prevention of Atrocities] Act.	Punishments for offences atrocities. Section 3 (2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe, — (v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property 1 [knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member], shall be punishable with imprisonment for life and with fine.
Section 3[2] [va] of Scheduled Caste and Scheduled Tribe [Prevention of Atrocities] Act.	Punishments for offences atrocities. Section 3 (2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe, — (v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property 1 [knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member], shall be punishable with imprisonment for life and with fine.
Section 66-E of Information Technology Act 2008	Whoever, intentionally or knowingly captures, publishes or transmits the image of a private area of any person without his or

	her consent, under circumstances violating the privacy of that person, shall be punished with imprisonment which may extend to three years or with fine not exceeding two lakh rupees, or with both. Explanation. --For the purposes of this section-- (a) transmit means to electronically send a visual image with the intent that it be viewed by a person or persons. (b) capture, with respect to an image, means to videotape, photograph, film or record by any means. (c) private area means the naked or undergarment clad genitals, *[pubic area], buttocks or female breast: (d) publishes means reproduction in the printed or electronic form and making it available for public. (e) under circumstances violating privacy means circumstances in which a person can have a reasonable expectation that-- (i) he or she could disrobe in privacy, without being concerned that an image of his private area was being captured; or (ii) any part of his or her private area would not be visible to the
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	public, regardless of whether that person is in a public or private place.
Section 5 of Karnataka Protection of Right of freedom of Religion Act, 2022	Whoever contravenes Section 3 [which prohibits conversion by misrepresentation, force, fraud, undue influence, coercion, allurement, or promise of marriage] is punishable by imprisonment for a term of one to three years and a fine of not less than Rs. 10,000/=

2. In order to appreciate the efforts of prosecution to drive home the guilt in accused to discharge onus cast upon the complainant prosecution, the projection of the prosecution and the defence shall be considered in-depth.

COMPLAINT IN DETAIL: -

3. The projection of the prosecution in detail is :- A hand written complaint dated 18-04-2024 came to be lodged with the complainant police by victim [name not disclosed to protect identity of victim] to b referred to hereinafter as informant, that having been married to one Shri. Yallappa Bhajantri, cited as C.W.-9 examined as P.W.-13 had two children and was leading married life long with mother-in-law Smt. Dyamavva [not cited as witness] in the village of

Siddeshwarnagar Nagar, Munavalli, Taluk: Savadatti,
District: Belagavi.

4. It is further contended that mother-in-law Smt. Dyamavva was running a petty shop and during lunch hours the victim P. W. -1 used to relieve the mother-in-law and run the business in the shop until mother-in-law returned. While so, the first accused used to visit the shop and was taking all the liberties, though the first accused [who shall. Be referred as accused and in case of need of addressing other accused the said accused shall be referred by ranking for the purpose of convenience in expression]used to address the victim as sister.

5. However, as the days passed the accused sought Cellular phone number of the victim that was refused by the victim. However, the accused managed to get the phone number of victims from acquaintance of the victim who was residing across the road.

6. On one fine day to the shock and surprise of the victim the accused called the victim on her cellular phone

and having made known the source from where the cellular phone number was obtained, the accused offered to get a Government Job as accused had good contacts with the politicians. So also the accused having indulged in livid talks with the victim and the victim also having succumbed to such fatal attraction fell a pray to the first accused in indulging physical and carnal acts in the year that is on 20-01-2021. Later as no sin can be hidden for long the illicit relationship of accused and victim was tumbled upon by the husband which naturally turned the marital relationship sour.

7. Further the victim was compelled to seek parental abode as nothing was left in marital home but the magnanimous P.W.-13 and mother-in-law and relatives approached the victim and hence victim and P.W.-13 reconciled and the victim returned to her marital home.

8. However, the first accused once again relentless unleashed his lustful mode and despite initial detest by the victim, the accused was successful in bringing the victim into his arms. Thus the second leg of such illicit lustful life got

revived which naturally tore, the already delicate ties that was patched up between victim and P.W.-13 and the victim once again sought to return her parental abode. However, the persistent and insistent accused managed to convince the victim on her way to parental home to accompany the second accused in his motor car to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused.

9. However, in the meanwhile the first accused offered to marry the victim as his 3rd wife subject to the victim getting divorced with her husband and thus accused was also successful and managed to get such petition lodged from victim against P.W.-13.

10. While so, on a fine day the accused informed the victim that accused shall be marrying victim and therefore, since such day shall not adorn Sindhoor on her forehead and that the victim hails from lower caste strata of the society and nor any symbol of religion of victim nor faith of belief in any other god except [may peace upon him] "Allah".

11. However, the victim appears to have been highly perturbed with all such conditions and contacted P.W.-13 and having truce with her legitimate man escaped from clutches of first accused. In fact sixth accused was deployed to keep an eye on victim and not to stir and in presence of this sixth accused, the victim was also sexually assaulted against her wish.

12. When the victim and reconciled with her husband P.W.-13 and were on their way to the temple of "Lord Neelakanteshwara" the first Accused to fifth Accused accosted the victim and her husband and sought return of cellular phone of that of sixth accused which was whisked away by victim P.W.-1 under the presumption, that it contained her personal photographs with first accused. Infact, the victim through out had been stating she had succumbed to the will of the first accused for being subject of publishing on social media of victim in compromising position with accused.

13. At that juncture the accused having accosted

criminally intimidated her husband who had already been hit once by the accused while riding the vehicle. It is also alleged that whilst in the company of accused the accused had always been threatening to eliminate P.W.-13, the husband of the victim.

14. Thereafter, the episode, the victim narrated whole of her tormented life with first accused and husband P. W. -13 has promised that P.W.-13 would take care of the consequence.

15. Thus the couple regaining themselves and having discussed in the family determined to set the law in motion lodged belated complaint.

REGISTRATION OF CRIME

16. This complaint at Ex.P.-1 was received on 18-04-2024 at about 08:40 Hrs by C.W.-43 one Shri. Suresh Bendegumbal, a Police Sub-Inspector, of Complainant Police Station examined as P.W.-14 and the Crime came to be registered in Cr. No. 164 of 2024 for offence Charged and detailed in prelude to this Judgement. Having registered the

compliant, P.W.-14 lodged F.I.R. at Ex.P.-42 and dispatched the same to this Court at about at 9:30 Hrs, through a Civil Police Constable cited C.W.-30 one Shri. Nagappa Karadi with Buckle No. 3793 that was received by this Court on same day at about 13:10 Hrs.

17. P.W.-14 immediately facilitates the Medical Examination of victim escorted by C.W.-31 a Woman Police Constable with Buckle-3953 one Smt. N.R. Abbar Taluka Civil Hospital at Savadatti where C.W.-39 one Dr. Smt. Veena Itnal Math not examined as the Medical Report is marked by consent as Ex.P.-39 and Ex.P.-40.

18. concomitantly P.W.-14 affirming that victim is a member of scheduled caste having informed superiors the Superintendent of Police District Belagavi appointed C.W.-44, Deputy Superintendent of Police, one Shri. M. Pandu Rangaiah examined as P.W.-16 to conduct further investigation in compliance with Rule 7 of The Scheduled Castes and The Scheduled Tribes [Prevention Of Atrocities]Rules, 1989 [Central ACT No. 33 OF 1989]

[September 1989] [As amended by Karnataka Amendment Act XXXV of 2003, Karnataka Amendment Act I of 2016, and Karnataka Amendment Act 27 of 2018 and Karnataka Amendment Act 34 of 2019] and as per this Rule the whole of the investigation has to be carried out by the officer by State that in Karnataka being the Deputy Superintendent of Police vide Order dated 18-04-2024.

19. P.W.-16 having taken up taken up the investigation of the case reviewed the steps initiated by P.W.-14 collected on 19-04-2024, from C.W.-31 Woman Police Constable who had brought 8 articles, collected by the doctors of Savadatti Hospital during the medical examination of the aggrieved woman.

20. At the time of collection of these material P.W.-16 drew a Mahazar at Ex.P.-12 in presence of C.W.-2 one Shri. Jayadeva examined as P.W.-2 and C.W.-3 one Shri. Gadigeppa P.W.-3 at the Police Station between 20:15 Hrs and 21:15 Hrs. The photograph taken at that time of drawing up said Mahazar at Ex.P.-12 were marked as

Ex.P.-13.

21. At the same time, C.W.-31 has also produced the medical certificate of the aggrieved woman. That is at Ex.P.-39 and the final opinion at Ex.P-40. On 21-04-2024, accused and 6th accused who were taken into custody by C.W.-36, from their house at Munavalli village at 05:30 Hrs and were produced before P.W.-14 at about 06:00 Hrs with the report at Ex.P.-46. P.W.-14 interrogated and first accused confessed to the crime and hence voluntary statement of the first accused was recorded. The first accused had produced a black Vivo company Android [OS] make Cellular Phone that was brought with him during his interrogation.

22. Therefore, in order to seize the same a Mahazar at Ex.P-21 was drawn between 07:00 Hrs and 07:35 Hrs in the presence of witnesses C.W.-5 one Shri. Mahadevappa examined as P.W.-4 and C.W.-6 one Shri. Mahantesh examined as P.W.-7 and photograph captured at that time of drawing Mahazar at Ex.P.21 as at Ex.P.-22. The Cellular Phone is at M.O.-8. In order to discover the facts as per

voluntary statement of accused the house where the aggrieved woman was detained under the watch of sixth accused and had had carnal pleasures against the wish of victim led the police party in presence of P.W.-4 and P.W.-7 to a house on III Cross Road near Basava Colony, Nimra Masjid in City of Belagavi, took the key placed on the door of the first house on the first floor and opened the door of said house and seized Bukha at M.O.-7 and M.O.-9 and also indicated the place where accused had carnal pleasures with the aggrieved woman draws the a Mahazar at Ex.P-23 in that regard between 10:00 Hrs and 11:00 Hrs. A rough sketch at Ex.P.-48 was also drawn by the Investigation Officer and photographs were captured then are as per Ex.P-24 and Ex.P-25.

23. The first accused whose body search had fetched a Cellular Phone recovered under Ex.P.-21 was later sized once again under Ex.P.-18 as there were suspected obscene video in the said Cellular phone of accused.

24. On the same day, i.e. 21-04-2024 P.W.-16 recorded the statement of C.W.-23 Shri. Muhammad Ayaz

Khan Pathan, the owner of the said house and videographed the entire process at that time.

25. After completion of drawing Ex.P-23, the accused was brought to the Savadatti Police Station and the accused was facilitated to undergo Medical Examination at Taluka Civil Hospital, Savadatti where C.W.-40 examined and Medical Report is at Ex.P.-37 and Ex.P.-38 marked by consent and articles seized from person of accused at the time of Medical Examination articles 1 to 6 collected by the doctor and produced through Police Constable with Buckle No. 2775 along with report and was seized at the Police Station not marked during trial under Mahazar at Ex.P.-33 and photographs captured at that juncture is at Ex.P.-34.

26. The above said Mahazar was drawn on said date of 21-04-2024 in presence of C.W.-7 one Shri. Krishnaji Arera examined as P.W.-8 one Shri. Ishwara Betageri Examined as P.W.-9 which was drawn between from 14:15 Hrs and 15-00 Hrs. Further on 21-04-2024 C.W.-33 Civil Police Head Constable with Buckle No. 1173, Shri. S. Hecha Vartheppa cause produced the Innova car bearing

Registration No. KA-29-N-3274 which he used to intimidate the complainant and her husband and used for chasing victim and her husband from Munavalli and produced it along with the report, and therefore P.W.-16 draws a Mahazar at Ex.P-30 in presence of P.W.-8 and P.W.-9 between 15:30 Hrs and 16:00 Hrs, and confiscated it and photographs captured at that juncture is Ex.P.-31 and Ex.P-32. The said Car is at M.O.-10.

27. P.W.-16 was later facilitated to undergo medical examination, and further both the accused were produced on 21-04-2024. On the same day of 21-04-2024 P.W.-16 visited Munavalli village and got the statements of witness C.W.-9 one Shri. Yallappa Bhajantri examined P.W.-13. On the next day i.e. 22-04-2024 P.W.-16 has requisitioned to Tahsildar Taluka Savadatti to furnish Caste Certificate of the informant and all the accused as per Ex.P-51. The caste certificate so issued is marked at Ex.P-52 which established that victim is a member Caste Hindu "Korava" a Scheduled Caste.

28. The accused were not members of scheduled Caste or Scheduled Tribe. Further on 22-04-2024, P.W.-16 has requested C.W.-37 Tahsildar, Dharwad to submit the caste certificate of accused second accused and third accused. The requisition was marked as Ex.P.-53. The caste certificate was marked as Ex.P-54 that affirms that accused are Mohammadan by Religion and thus not members of scheduled Caste or Scheduled Tribe.

29. P.W.-16 on 22-04-2024 requested the Hon'ble, Judicial Magistrate First Class, Savadatti to record Statement of the aggrieved woman as mandated under Code, and on next day i.e. on 23-04-2024 the aggrieved woman tendered Statement that was recorded and copy was furnished to Investigation Officer for further investigation by P.W.-16.

30. P.W.-16 on 23-04-2024 visited Swadhara Kendra, at Belagavi and got the statements of staff of the said Swadhara Kendra i.e., C.W.-19 one Smt. Shailaja, examined as P.W.-11 C.W.-20 one Smt. Veena, not examined, C.W.-21

one Smt. Amrita not examined C.W.-22 one Smt. Ayesha not examined the aggrieved woman who initially lodged thereat by the accused having sent there in company of second accused and P.W.-16 has videographed the process of recording Statement and got the information in writing from Swadhara Kendra on the same day i.e. 23-04-2024.

31. On 24-04-2024 further Statement of the victim was obtained in presence of women police officer with Buckle No. 3515 one Smt. S. S. Hampannavar. Later, the aggrieved woman presented 7 photographs with the First accused and sixth accused and the electricity bill of the house where victim had lived with accused, a black cellular phone, which were seized in presence P.W.-3 C.W.-4 one Shri. Umesh between 10:50 Hrs and 11:30 Hrs. The Mahazar so drawn is at Ex.P.2. The articles were marked as M.O.-5 and M.O-6 respectively.

32. On 24-04-2024 the Statements of witnesses P.W.-5 as per Ex.P-27 [having turned hostile] and P.W.-6 as per Ex.P-28. On 24-04-2024, As per Statement of these

witnesses a chocolate colored Bhurkha, marked as M.O.-7 was recovered from residence accused and sixth accused where Mahazar was drawn and P.W.-16 further recorded Statements of witnesses C.W.-24, C.W.-25 neighbours of residence of accused.

33. Further on 24-04-2024, the informant victim led police party from Belagavi to Bailhongal and pointed out the place where all the accused had threatened the informant and P.W.-16 conducted a Mahazar that is at Ex.P.-7 between 15:35 Hrs and 16:10 Hrs in the presence of witnesses and a rough sketch of place at Ex.P.-56 was prepared and Ex.P.-8 are photograph that was captured.

34. P.W.-16 was further led Sangolli Rayanna Circle in Mabanur village, about 22 km from the place where the Ex.P.-7 was drawn and indicated another place where the accused had restrained victim and intimidated her. In the presence of witnesses C.W.-3 and C.W.-4, P.W.-16 draws a Mahazar as that is at Ex.P.-5 between 17:05 Hrs and 17:30 Hrs. A rough sketch at Ex.P.-57 was prepared and a

photograph at Ex.P-6 was taken. The informant thereafter led P.W.-16 and witnesses to house of P.W.-13 and pointed out bedroom and pointed out that to be the place where the accused had raped the victim. P.W.-16 draws a Mahazar in the presence of C.W.-3 and C.W.-4 from 18:00 to 18-45 Hrs. as per Ex.P-9. A rough sketch drawn at that time is at Ex.P-58 and Ex.P.-10 and photograph captured is at Ex.P.-11.

35. P.W.-16 on 30-04-2024, has sent the materials collected and given by the doctors during the medical examination of the accused and the aggrieved woman to the Regional Forensic Science Laboratory, Belagavi for analysis.

36. On 02-05-2024, P.W.-16 has sent the Cellular phones at M.O.-5 and M.O.-8 seized during the investigation to CEN Police Station for deciphering and retrieval of data contained on storage system of the phone and back up on cloud of service provider. On the same day, CEN Police conducted retrieval process in presence of C.W.-3 and C.W.-4 as per Ex.P-18 between 11:45 Hrs and 14:00 Hrs and also provided color prints of the photographs retrieved at

that time. However, the photographs are not part of documents marked at the trial and neither Certification under Section 65-B of Evidence Act. later on, 04-05-2024, after retrieving data from M.O.-5 and M.O.-8 at CEN Police Station, P.W.-16 fetched these two Cellular phones back to the police station and on the orders of the Superintendent of Police. P.W.-16 sent them to the Mobile Forensic Laboratory, Hubballi on 06-05-2024 as per requisition Ex.P-60.

37. On 20-05-2024, P.W.-16 has recorded the statements of witnesses P.W.-12 Yallappa, C.W.-14, C.W.-15, C.W.-16. On 23-05-2024, P.W.-16 has recorded the Statements of witnesses P.W.-10 as per Ex.P-35 [witness has turned hostile].

38. The investigation officer having found absconding Since sufficient evidence was found against the accused 2 to accused No. 5 absconding with first accused in Judicial Custody and sixth accused being on bail draws up a Charge Sheet on 12-06-2024 having compiled all the material collected during investigation and having found sufficient material to drive home the guilt in accused

persons submitted the Charge Sheet, that was actually received by the Court on 14-06-2024.

PRE-TRIAL PROCEEDINGS: -

39. This Court having received the Charge Sheet took cognizance of offence alleged against accused vide Order dated 20-06-2024 presumably as contemplated under Section 14[1] of the Scheduled Caste and Scheduled Tribe [Prevention of Atrocities] Act and concomitantly under Section 193 of the Code.

40. This Court exercising power under Section 228 of the Code framed Charges after affording sufficient opportunity to submit on Charges to be framed at the stage of hearing before Charge on 09-12-2024. Apparently the Court read out the Charges in the language understood by the accused, and the accused specifically did not choose to plead guilty but wished to be tried.

41. Hence the prosecution opened its side as provided under Section 226 of the Code and sought to introduce the witnesses cited in Charge Sheet. Accordingly, the witness summons was issued on 05-02-2025 to C.W.-1,

C.W.-10 to C.W.-11 for trial on 14-03-2025, C.W.-2 to C.W.-6, C.W.-12 to C.W.-16 for trial on 15-03-2025 and CW-17 to CW-19, C.W.-23 and C.W.-24 for trial on 20-03-2025 and C.W.-39, C.W.-40 and C.W.-43 for trial on 20-03-2025. However, the actual trial commenced only on 18-03-2025 by examination of C.W.-1 as P.W.-1 and after having examined all the witnesses, the trial did conclude on 16-05-2026.

42. The prosecution that had cited in all 44 witnesses as C.W.-1 to C.W.-44 examined only 17 witnesses at P.W.-1 to P.W.-17. The documents collected during investigation were marked at Ex. P-1 to Ex. P-70 with sub-markings and the material objects were marked as M.O.-1 to M.O.-10 and the defence extracted contradictions and got marked Ex.D.-1 to Ex.D-15 on behalf of accused.

43. Thereafter the accused was examined on 10-06-2026 as stipulated under Section 313 of the Code. Where the accused except denying the incriminating evidence did not choose to explain regarding any of such incriminating testimony or documentary evidence or the

material objects. The accused persons did not choose to enter defence by examine themselves by lodging application under Section 315 of Code of Criminal Procedure nor examine any witnesses as contemplated under Section 233[1] of Code. So also, the accused did not choose to lodge Written Statement as contemplated under section 233[2] of Code of Criminal Procedure.

44. Thereafter this Court proceeded to hear the submission of the Learned Exclusive Public Prosecutor and Learned Advocate for the accused and the arguments concluded from both sides on 22-06-2026 and the matter is now posted for Judgement on this 27th day of June 2026.

45. In this backdrop the points that merit the consideration of this Court are as follows:-

- I. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with

victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except "Allah" and victim was once again sexually assaulted or raped in presence of sixth accused and later the victim having contacted P.W.-13 and having truce escaped from clutches of first accused where the victim and her husband

P.W.-13 were on their way to the temple of “Lord Neelakanteshwara” the first Accused to fifth Accused accosted the victim and her husband and having criminally intimidated the victim and thereby all the accused were members of unlawfully assembly an offence punishable under Section 143 of Indian Penal Code?

- II. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a

Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except “Allah” and victim was once again sexually assaulted or raped in presence of sixth accused and later the victim having contacted P.W.-13 and having truce escaped from clutches of first accused where the victim and her husband P.W.-13 were on their way to the temple of “Lord Neelakanteshwara” the first Accused to fifth Accused accosted the victim and her husband and having criminally intimidated the victim and thereby all the accused were members of unlawfully assembly committed rioting on street an offence punishable under Section 147 of Indian Penal Code?

III. Whether prosecution proves beyond reasonable doubts that on a day in the year

2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and wrongfully confined thereat for more than 10 days an offence punishable under Section 344 of Indian Penal Code?

IV. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular

phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre[Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused in victim was sexually assaulted or raped in presence of 6th accused and threatened to cause voyeurism an offence punishable under Section 354-C of Indian Penal Code ?

- V. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular

phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused translocated in the house of 6th accused who was the second wife of accused in victim was sexually assaulted or raped in presence of 6th accused and thereby the first accused committed an offence punishable under Section 376[2][n] of Indian Penal Code?

VI. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the

accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except "Allah" and victim was once again sexually assaulted or

raped in presence of sixth accused and later the victim having contacted P.W.-13 and having truce escaped from clutches of first accused where the victim and her husband P.W.-13 were on their way to the temple of "Lord Neelakanteshwara" the first Accused to fifth Accused accosted the victim and her husband and thereby all the accused committed offence punishable under Section 341 of the Indian Penal Code?

VII. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and thereby cheated the victim an offence punishable under Section 417 of the [Erroneously invoked Section 420] of the Indian penal Code.

VIII. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the

politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except "Allah" and victim was once again sexually assaulted or raped in presence of sixth accused and later the victim having contacted P.W.-13 and having truce escaped from clutches of first

accused where the victim and her husband P.W.-13 were on their way to the temple of “Lord Neelakanteshwara” the first Accused to fifth Accused accosted the victim and instigated victim and her husband to disturb peace and thereby all the accused have committed offence punishable under Section 504 of Indian Penal Code?

IX. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a

Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except “Allah” and victim was once again sexually assaulted or raped in presence of sixth accused and later the victim having contacted P.W.-13 and having truce escaped from clutches of first accused where the victim and her husband P.W.-13 were on their way to the temple of “Lord Neelakanteshwara” the first Accused to fifth Accused accosted the victim and instigated victim and her husband and also criminally intimidated P.W.-13 the husband of victim thereby all the accused have committed offence punishable under Section 506 of Indian Penal Code?

X. Whether prosecution proves beyond reasonable doubts that on a day in the year

2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except "Allah" and that

victim belongs to lower strata of Caste being member of scheduled caste in presence of 6th accused and thereby the first accused committed offence punishable under Section 3[1][r] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act.?

XI. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the

house of 6th accused who was the second wife of accused and having committed sexual assault or rape in presence of 6th accused the first accused touched the victim a member of scheduled caste with sexual intent and thereby the accused committed offence punishable under Section 3[1][wi] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act ?

XII. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused

in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and having committed sexual assault or rape in presence of 6th accused the first accused touched the victim a member of scheduled caste with sexual intent and thereby having committed an offence punishable under Section 376[2][n] with imprisonment of 10 years or more under Indian Penal Code and thereby first accused has committed offence punishable under Section 3[2][v] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act ?

XIII. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got

revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and having committed sexual assault or rape in presence of 6th accused the first accused touched the victim a member of scheduled caste with sexual intent and thereby having committed an offence punishable under Section 376[2][n] of Indian Penal Code and all the accused having committed scheduled offences under of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act and thereby all the accused have committed offence punishable under Section 3[2][va] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act ?

XIV. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the

accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except "Allah" and victim was once again sexually assaulted or

raped in presence of sixth accused and later the victim having contacted P.W.-13 and having truce escaped from clutches of first accused who had always threatened to expose on social media the compromising position of victim with accused and thereby having stored such obscene clippings on Cellular Phone of first accused and thus violating privacy of victim in Cyber Space and thereby the first accused has committed offence punishable under Section 66-E of Information Technology Act.

XV. Whether prosecution proves beyond reasonable doubts that on a day in the year 2021 to the shock and surprise of the victim the accused called the victim on her cellular phone accused offered to get a Government Job as accused had good contacts with the politicians and that having taken liberties with victim and forcibly against wish of accused committed rape on victim on 20-01-2021 and the accused reigned relentlessly unleashed his lust and such illicit lustful life having got revived after the victim was brought back from her parental home by P.W.-13 the husband of victim and when naturally difference arose

again when victim was on her way to parental abode accused managed parental home to facilitated to accompany the second accused in his motorcar to city of Belagavi to a Rehabilitation Centre [Swadhara Kendra] and from there the victim was translocated in the house of 6th accused who was the second wife of accused and the meanwhile the first accused having offered to marry the victim as his 3rd wife got petition for divorce lodged against P.W.-13 and on fateful day the accused informing victim to marry victim ordered her to shun adorning Sindhoor on her forehead nor any symbol of religion of victim nor faith of belief in any other god except "Allah" and intended to forcefully convert the victim a Hindu to the religion of Islam and thereby the first accused committed offence punishable under Section 5 of Karnataka Protection of Right to Freedom of Religion Act ?

XVI. What the Judgement Should be?

46. Based on projections of the prosecution, circumstances, and material placed on records, I have gone through the Complaint, First Information Report, the entire Charge Sheet, and I have read the Testimony of witnesses

and perused the exhibits, Statement of accusation. With these materials and point for consideration before me, I proceed to determine the same based on the following reasons: -

: REASONS:

47. The perusal of the entire complaint limits the inflictions of various offences that is charged against persons. Accused No. 2 to accused No. 5 have just appearance in the crime whereas the role of first accused and sixth accused is inconsistent in narration.

48. Further it is neither caste-oriented offence but the charge involves the penal provisions for the scheduled offences under Section 3[2][va] of the Act. Further presumption under Section 8 of the Act naturally gets attracted and hence, the provisions of Section 3[1][w-i] for having touched a woman with sexual intent a member of Schedule caste is naturally applicable.

49. However, in so far as insult or humiliation for being member of Scheduled Caste is neither evident nor

inflicted as the utterness do not constitute either insult or humiliation nor there is single independent witness and therefore the offence under Section 3[1][r] could not have been invoked and now that it is already invoked as a charge the same shall logically concluded along with findings on other penal provisions.

50. Therefore, in order to drive home the guilt in the accused persons the prosecution has lined up chosen 17 witnesses and the first one is the victim examined as P. W. -1 who steps in to the witness box and reiterates the contents of the complaint and her statement before the police and the statement made before the Judicial Magistrate First Class. The victim has detailed the torment meted out by the first accused in presence of 6th accused and the overt acts attributed in generality against accused No. 2 to accused No. 5.

51. This witness victim has been cross examined at length, where it comprises of memory test that included the date and year of first sexual assault to the colour, of clothes worn by first accused to fifth accused on day of last episode.

Further an attempt is made to tarnish the character of the victim by questioning her pre-marital conduct with two other persons which was never supported by the documentary evidence of public records of F. I. R. which was suggested. Further, when the entire allegations made in the complaint specifically alleges sexual assault on two occasions one at the first instance in the house of victim and the second one in presence of accused No. 6 in the house of accused No. 6. Apart from these two occasions on the rest of the occasion the victim has admitted her consensual relationship with first accused.

52. The cross-examination is on the lines that the victim had such relationship with two other persons prior to her marriage and therefore, there was nothing wrong in first accused also following the same suit.

53. It is most uncivilized way to think as even a sex worker has right of her person which cannot be infringed by any one unless consented to. Therefore, such extractions are not akin to civilized ways.

54. Further, when the victim had spoken of these two occasions the cross-examination except denials in the later part failed to axe the root of such allegations.

55. In case of sexual assault the body of the victim is the only evidence and the victim is the only witness. Though the second wife of first accused, the 6th accused had witnessed the same and having privy to such act and arraigned as co-accused the Court cannot expect her to testify anything in favour of the victim. The only aspect is that when first accused and sixth accused have been specifically incriminated both did not elaborate upon their examination.

56. The first accused and sixth accused also failed to elucidate from the mouth of this witness, if these two were innocent the reason for inculcating these as accused where enmity of such magnitude are such serious allegations are made.

57. When it comes to the conduct of first accused his power as a politician, as a social worker at least as projected out worldly as admitted by suggestion during the course of cross-examination of P. W. -1 was the secret of success of

first accused having lured the victim drag her into conversation and later drag her into his lustful arms and inflict the sexual assault. The defence has also failed in his approach and left with no defence or alternate defence is unable to over come the imputation. The defence also failed in the course of cross-examination neither that the victim was trust worthy or that the Court must disbelieve the victim whose sole testimony [subject to basic corroboration] is sufficient to infer guilt in the accused.

58. This Court is not ready to accept the theory of victim also that on all occasions the victim was threatened by the accused with photographs and therefore victim was a consenting party. The facts remain that except on these two occasions where sexual assault is alleged against the wish of the victim on other occasion it is infidel conduct and clandestinely rushing into the arms of accused. However, this cannot erode the two specific occasions for which the first accused has to be inferred as guilty of such sexual assault.

59. P.W.-2 and P.W.-3 are the two witnesses to a

Mahazar that is devoid of evidence prima-facie. The Mahazar Ex.P.-12 is drawn at the time of seizure of M.O.1 to M.O.-4 just for demonstrating that the investigation has been made. The victim and the Investigation Officer by narration knows very well that the victim is not only married with two children and also the last sexual act with first accused not being in thence recent past and the complaint itself is belated and even the doctor Veena Itnal cited as C.W.-39 knows full had ventured to collect the clothes from the person of victim as though the sexual assault had occurred few hours before the examination and subjected to medical examination is brought straight from the crime scene.

60. This is irony of investigation that even in such circumstances also clothes are recovered and sent to the Police Station and the police draw the Mahazar and well witnessed by P.W.-2 and P.W.-3. And these two witnesses appearing to extend a great favour to the accused turned hostile for proving or disproving no existing fact before the Court. Therefore, in consequential is the hostility of this witness and so also supporting the seizure of clothes, neither

infers the guilt in accused.

61. P.W.-3 is also witness to Ex.P-18 which is also a another Mahazar drawn at the time of seizere of cellular phone of first accused and the victim P.W.-1, that is at M.O.-5 and M.O.-8. These two cellular phones were sent for analysis and extraction of material from the phone and accordingly the P.W.-17 the officer of Forensic Science Laboratory did extract photograph printed the same and sent to the Investigation Officer, however, there are two aspects of such photograph, the first one is the photographs are not before the Court nor part of charge sheet.

62. The only inference that I can draw is that the Investigation Officer has intentionally and materially has suppressed this evidence which is writ large on the face of record. This has to be dealt sternly as the duty of Investigation Officer is only to collect material concerning allegation against the accused and not to be concerned either with acquittal or conviction. Therefore, a suitable order will follow in the judgement.

63. The other aspect is that those photographs will evidently comprise of depicting intimate relationship between the victim P.W.-1 and the first accused which is disputed by the victim. Therefore, the admitted fact need not be proved. Hence, the recovery of cellular phone under the Mahazar at Ex.P-18 has no significant impact on trial despite the fact that P.W.-3 has turned hostile.

64. P.W.-4 and P.W.-7 are the two witnesses for the mahazar at Ex.P-21 where after the body search the mobile of accused that is at M.O.-8 was seized and later the said Cellular phone was seized for the purpose of investigation and referring to CEN police another Mahazar was drawn that is at Ex.P.-18.

65. These two witnesses P.W.-4 and P.W.-7 were also witnesses to the Mahazar drawn at the residence of accused who had detained the victim under watch of sixth accused where the Bhurkha at M.O.-7 and M.O.-9 was also seized but not supported the case and neither it is significant as root of crime does not get detected under these Mahazars.

66. However, I have discussed in the proceeding paragraph that there is no significance that can be attached to this seizure of cellular phone for want of its output intentionally not produced before the Court. Ex.P-23 Mahazar drawn at the house of victim.

67. P.W.-5 is the driver of Car owned by P.W.-6. The victim P.W.-1 and her husband P.W.-13 while travelling in this Car M.O.-10, the first accused to fifth accused are said to have accosted this vehicle driven by P.W.-5 and abused the victim and criminally intimidated the victim and her husband.

68. However, these witnesses having turned hostile the episode involving the first accused to fifth accused stands unsupported by testimony of these two witnesses. It is further astonishing as to how the victim identified third accused to fifth accused about whose acquaintance with the victim has remained document in her entire statement.

69. However, the role of first accused to fifth accused

in respect of episode narrated in the complaint alleged to have occurred on the said date does not allow inference of guilt in first accused to fifth accused. P.W.-8 and P.W.-9 are the two witnesses to the Mahazar at Ex.P.-30 wherein the motorcar in which the victim was travelling along with her husband. This car at M.O.-10 was not either involved in crime nor any crime took place inside the Car and the dramatize Mahazar is two witnesses are said to be the witnesses. I fail to understand what was the purpose of seizure of motorcar. Every seizure under a Mahazar must be able to speak about the Crime or it must be in the link of chain and series of transaction that constitute the crime. In the instant case the investigation has been mockery.

70. However, the very same witnesses have evidenced seizure of articles collected from the person of first accused during his medical examination that is at Ex.P-33. Once again with same yardstick with which the evidentiary value that was declined to be attached to the seizure of clothes of victim applies to the seizure of clothes of first accused as well. Hence, irrespective of hostility of P.W.-8

and P.W.-9 there is no significance or evidentiary will have impact in drawing inference of guilt in the accused.

71. P.W.-10 is the witness who is said to have accompanied P.W.-13 while these two venture out to the house of 6th accused to rescue the victim. However, this witness turns hostile in totality and denies the knowledge of each and every aspect. However, I have already discussed above that the episode on 15-04-2024 has been unacceptable episode for want of evidence and hence the hostility of this witness only adds negativity to the unproved episode.

72. The residence of victim in Swadhara Kendra is not a disputed fact as while cross-examining P.W.-1 there is enormous suggestion by the accused admitting the victim being inmate of Swadhara Kendra. Therefore, the testimony of P.W.11 merits no consideration of this Court as the victim admittedly has not narrated anything about the first accused. By introduction of this irrelevant witness by the Investigating Officer only manifests and confirms that the

grand mimicry of something like investigation is made and for satisfaction of best consideration known to the Investigating Officer, such diabolic investigation has been carried out.

73. Once again P.W.-12 evidently brings on record the differences between P.W.-1 and her husband P.W.-13 and having reconciled them where differences arose because of illicit affair between first accused and victim and departure of P.W.1 the victim for the second time along with the first accused was made known to this witness by P.W.-13 who suggested to lodge the complaint. This testimony corroborates the testimony of the victim. This witness has been suggested that this witness is in the habit of holding the accused persons for ransom to several cases is later by fleecing the accused would compromise the cases. In a shocking cross-examination by the fifth accused in person and advocate for all the accused suggest that P.W.-12 had collected a sum of Rs. 7,00,000/- to drop him out of this case. However, there arises doubt in the conduct of 5th accused. Wherein had this fifth accused not involved in this case there

was no need for the fifth accused to spill such huge money.
Be it so it may be.

74. This witness does not have any incriminating material against the accused persons. Hence, no significance can be attached to the testimony of this witness indirectly inculcating the accused No.2 to accused No.5. However, the statement of this witness to the extent of contradiction has been got marked by the defence. Once again that is at Ex.D-15. However, the same not been suggested to the Investigating Officer, that such statement was not made, makes no incriminating or absolving piece of evidence.

75. P.W.-13 has reiterated verbatim in testimony of that of his wife P.W.-1. Further as a feather in cap this witness adds that the victim and himself were not attacked once but thrice on 15-04-2024. The defence in fact instead of shunning the allegation against the accused are more concerned about the allegation that victim is said to have made allegation against her husband, which is of no relevance as victim herself has admitted that though the

husband was noble the victim had made all such allegation against husband while at Swadhara Kendra and the victim was warned not to speak of second accused having dropped the victim to Swadhara Kendra appears to have been tutored by the first accused whose social service is evident in this format. Therefore, irrelevance has been the hallmark of this defence. Therefore, nothing further is required to be discussed, with respect to testimony of this witness.

76. P.W.-14 is the Police Officer who has received the complaint at Ex.P.-1 at 08:40 Hrs on 18-04-2024. The despatch of F.I.R. to the Court, the date and timings has been conveniently omitted in the F.I.R. at Ex.P.-42. However, the Court has received the F.I.R. on 18-04-2024 at 13:10 Hrs, when this witness was examined on video conferencing it was repeatedly questioned that whether this officer has case dairy before him, the witness has answered in the affirmative, despite repeated questioning by this Court and the records were before the witness the witness consistently under oath affirmed that it was 08:40 Hrs., P.W.-14 received the complaint. Further, if that be so, the Court has received

the F.I.R. almost seven hours before lodgement of complaint.

77. Therefore, despite reminder of case dairy, this officer intentionally though a Police Officer deposes contrary to the records prepared at his behest. Therefore, this officer's intentions do not appear to be in compliance with the oath of office and warrants indulgence of top brass.

78. P.W.-15 is a Civil Police Constable with buckle No. 2793 who honestly states that he had tendered the F.I.R. to the Court on 18-04-2024 at 13:10 Hrs A befitting honesty to the falsified testimony tendered by his superior. Hence, lodgement of complaint at Ex.P.-1 and lodgement of F.I.R. at Ex.P.-42 stands clarified.

79. P.W.-16 is the investigation officer whose role in the investigation has been narrated in details in the prelude to this judgment. This witness at length has been cross examined. The accused who have confronted the Ex.D.-1 to Ex.D.-15 that mostly comprises the letter declarations and letters addressed to Swadhara Kendra stating that victim

had come to Swadhara Kendra as she had had differences with the husband P.W.-13.

80. These letters are taken out from Charge Sheet as defence to shield the accused. This has two-fold answer in the evidence when considered as a whole.

81. In the first-place accused had had good contacts with the warden of this Swadhara Kendra and exactly the victim who was on her way to parental abode was picked up from Bus Terminal was directed into this place the Swadhara Kendra and lodged thereat. At that juncture it IOS fact from one angle that victim had had differences with P.W.-13 the husband by her misdeeds. The defence cannot expect the victim to write that her parley and illicit relationship with accused had ultimately landed her at the Swadhara Kendra.

82. In the second place neither the victim could have been housed in Swadhara Kendra by admitting such relationship with accused that she be permitted to reside thereat. Therefore those Ex.D.-1 to Ex.D.-15 were self serving and for sustaining shelter until the victim was

facilitated arrangements for residence with accused.

83. Further a step ahead the accused had posed himself in the Society as Social Help or Social activist with his own clout in politics and not that accused is unknown top Warden as it has been brought out effectively that goes without cross examination that warden had had very cordial relationship with accused. Therefore while second accused having taken victim that remains unquestioned the by defence it is not known as too what had transpired between the accused and the warden and proved. [In this regard while cross examining this Court did question the advocate about this fact of second accused having transported the victim to Swadhara Kendra.

84. The Learned advocate shot back at the Court in stern sentence that “when the case is split up against second accused why should I ask about the role of second accused having transported the victim.”] The answer why that aspect is required finds now in Judgement that when the fact that the victim was transported to Swadhara Kendra as admitted by omission to ask proves that victim was and indeed

transported by second accused and lodged thereat. It is not the case of this accused as social worker this accused facilitated such lodging. Therefore self-sustaining letters or self-serving letters written by victim cannot wholly erase the attributions against the accused. Hence apart from this defence there is nothing in defence except denial of allegations by way of suggestions.

85. Nothing has been elucidated by accused in whole of cross examination of not only this witness but also the testimony of all witnesses a rule has been adopted by defence that denials serve as defence. Thus defence is total failure when the prosecution though investigation has materially suppressed like non-production of photographs and other material and by collections of irrelevant witnesses and Mahazar yet the link of story of prosecution fits in exactly to the overt acts of accused that gives only one hypothesis that on two occasions the victim was raped and victim was housed initially in Swadhara Kendra by influence of accused being transported by second accused and further victim lodged under the care and custody of sixth

accused.

86. I have discussed above that the that this accused being part of unlawful assembly an offence under Section 143 or that unlawful assembly involved rioting an offence under Section 147 and wrongful confinement [as victim was privy for such stay] for more than 10 days an offence under Section 344, and for voyeurism of victim as no such offence occurred in public an offence under Section 354-C and cheating and thereby inducing delivery of property an offence under Section 420, the instigation caused to victim that disturbed peace an offence under Section 504 and so also the offence of criminal intimidation an offence under Section 506 of Indian Penal Code and so also offence of insulting victim in public by naming her caste an offence under Section 3[1][r] and offence of having committed scheduled offences under Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act that is an offence under Section 3[2][va] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act and Offence of violation of privacy in cyber space an offence under Section 66-E of

Information Technology Act having no foundation nor edifice of tangible and perceivable evidence built during trial by prosecution the accused has to be liberated from these Charges.

87. However the proof offence under Section 376[2][n] of Indian Penal Code and Section 3[1][wi] and Section 3[2][v] [*as the offence punishable with more than ten years under Indian penal Code stands proved*] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act and Section 5 of Karnataka Protection of Right to Freedom of Religion Act are proved with basic elements of investigation by P.W.-16 the accused will have to be convicted. The role of sixth accused will have to be inevitably slavish and under natural unspoken duress of the first accused and neither is there any attributions of crime or any overt act. Thus sixth accused will have to be liberated.

88. In finding first accused guilty beyond reasonable doubts the following golden rule laid down by Hon'ble Supreme Court The law in respect of the same has been crystallized in Sharad Birdhichand Sharda v. State of

Maharashtra wherein it was held that:-

“153. A close analysis of this decision would show that the following conditions must be fulfilled before a case against an accused can be said to be fully established:

(1) the circumstances from which the conclusion of guilt is to be drawn should be fully established.

It may be noted here that this Court indicated that the circumstances concerned “must or should” and not “may be” established. There is not only a grammatical but a legal distinction between “may be proved” and “must be or should be proved” as was held by this Court in Shivaji Sahabrao Bobade v. State of Maharashtra [(1973) 2 SCC 793] where the observations were made: [SCC para 19, p. 807: SCC (Cri) p. 1047]

“Certainly, it is a primary principle that the accused must be and not merely may be guilty before a court can convict and the mental distance between ‘may be’ and ‘must be’ is long and divides vague conjectures from sure conclusions.”

(2) the facts so established should be consistent only with the hypothesis of the guilt of the accused, that is to say, they should not be explainable on any other hypothesis except that the accused is guilty,

3) the circumstances should be of a conclusive nature and tendency,

(4) they should exclude every possible hypothesis except the one to be proved, and

(5) there must be a chain of evidence so complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused and must show that in all human probability the act must have been done by the accused.

[emphasis supplied].

89. The whole of evidence having been analysed in this frame work the prosecution has been able to lay only one hypothesis regarding sexual assault or rape on two occasions remains proved by sole testimony of victim that is sufficient and remains consistent and no reason to disbelieve the victim as otherwise the illicit relationship stands admitted that is conclusive and defence unable to disprove this laid fact and more specifically two occasions of Rape having been alleged.

90. For the foregoing reasons of all the allegations it is only the first accused who is found guilty of having committed the offence proved on four counts I proceed to

hold the points for consideration.

- POINT No. I : In the Negative
- POINT No. II : In the Negative
- POINT No. III : In the Negative
- POINT No. IV : In the Negative
- POINT No. V : In the Affirmative
- POINT No. VI : In the Negative
- POINT No. VII : In the Negative
- POINT No. VIII : In the Negative
- POINT No. IX : In the Negative
- POINT No. X : In the Negative
- POINT No. XI : In the Affirmative
- POINT No. XII : In the Affirmative
- POINT No. XIII : In the Negative
- POINT No. XIV : In the Negative
- POINT No. XV : In the Affirmative
- POINT No. XVI : In the terms of following judgment

JUDGEMENT

- I. Exercising my powers conferred under
Section 235[1] of the Code of Criminal

Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence of being a Member of Unlawful Assembly punishable under Section 143 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

II. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence of being a Member of Unlawful Assembly and Rioting punishable under Section 147 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

III. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence of wrongful Confinement more than 10 days with common object punishable under Section 344 read with Section 149 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable

doubts on this count.

- IV. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused with common object for the offence of Voyeurism punishable Section 354 C read with Section 149 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.
- V. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby Convict the first accused, for committing repeatedly rape on the woman [in this case on two occasions] an offence punishable under Section 376[2][n] Indian Penal Code as the prosecution has proved the Charge beyond all reasonable doubts on this Count.
- VI. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence wrongful Restraint with common object punishable under Section 341 read with

Section 149 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

VII. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence inducement of delivering property by cheating with common object punishable under Section 420 read with Section 149 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

VIII. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence of intentional insult to provoke breach of peace with common object punishable under Section 504 read with Section 149 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

IX. Exercising my powers conferred under Section 235[1] of the Code of Criminal

Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the of criminally intimidating about husband of victim with common object punishable under Section 506 read with Section 149 of Indian Penal Code as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

X. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence of insulting a member of Scheduled Caste the victim an offence punishable under Section 3[1][r] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act, as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

XI. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby convict the first accused, for the offence of touching a Woman a member of scheduled caste with sexual intent an offence punishable under Section 3[1][w i] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act, as the

prosecution has proved the Charge beyond all reasonable doubts on this count.

XII. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby convict the first accused, as the prosecution has proved the Charge beyond all reasonable doubts for the offence of having committed offence punishable exceeding ten year under the provisions of Indian Penal Code and thereby an offence punishable under Section 3[2][v] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act.

XIII. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, fifth accused and sixth accused for the offence of having committed schedule offence under Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act, an offence punishable under Section 3[2][va] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

XIV Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby acquit the first accused, for offence of violation of privacy in cyber space an offence punishable under Section 66 E of Information and Technology Act as the prosecution has failed to prove the Charge beyond all reasonable doubts on this count.

XV. Exercising my powers conferred under Section 235[1] of the Code of Criminal Procedure, I hereby convict first accused for the offence of having attempted forceful conversion of victim an offence under Section 3 and punishable under Section 5 of The Karnataka Protection of Right to Freedom of Religion Act, as the prosecution has proved the Charge beyond all reasonable doubts on this count.

XVI. Exercising my powers under Section 439[2] of the Code the First Accused is hereby ordered to be continued to be detained in Judicial Custody to receive the Sentence and serve the same.

XVII. The fifth accused is Ordered to be released

forthwith as fifth accused is acquitted of all Charges, is Ordered to be set at liberty.

XVIII. The Sixth accused in on interim bail and therefore being acquitted of all Charges is the interim liberty accorded while granting bail, the same is made absolute.

XIX. In compliance to Section 235[2] the Code of Criminal procedure Learned Advocate for the first accused and accused in person shall be heard on Sentence. The prosecution shall be heard only on compensation if any to be paid to the victim.

XX. Issue Notice of Appearance to the informant victim as contemplated under Section 15[3] of Scheduled Castes & Scheduled Tribes [Prevention of Atrocities] Act shall be secured and be present for hearing on sentence.

[Dictated to the Stenographer directly on computer, corrected and pronounced by me in the open Court under seal and signature on this the 27th day of June 2026].

SAVITHA KUMARI. N.
THE III ADDL SESSIONS JUDGE
THE EXCLUSIVE SPECIAL COURT
Constituted for Offence triable Under
Scheduled Caste & Scheduled Tribe
[Prevention Of Atrocities] Act.
BELAGAVI.

IN THE COURT OF THE HON'BLE III ADDL. SESSIONS JUDGE
THE EXCLUSIVE SPECIAL COURT

constituted for trying offence under Scheduled Castes
& Scheduled Tribes [Prevention of Atrocities] Act.

AT: BELAGAVI

[Trial Jurisdiction]

DATED: 10th DAY OF JULY 2026

BEFORE:

Ms. SAVITHA KUMARI. N. B. A. L., LL. B. ,

In The Matter of Special Case Under Scheduled Castes &
Scheduled Tribes [Prevention Of Atrocities] Act in

Spl. Case. No. 336 of 2024

BETWEEN:

State of Karnataka,
Represented by
The Station House Officer,
Savadatti Police,
Taluk: Belagavi, District Belagavi.
[By Learned Special Public Prosecutor]

Complainant

AND

Victim Miss. X,
In order to shield the
Identity of the Victim
the name and address
is not mentioned.

Informant

AND

Shri. Rafiq Bepari,
Son of Shri. Lalsab Bepari,
Aged about 33 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.

Accused No. 1

Shri. Adil Ontanal,
Son of Shri. Madarsab Ontanal
Aged about 29 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.
[split up]

Accused No. 2

Shri. Sohail Tahasildar,
Son of Shri. Babusab Tahasildar,
Aged about 23 years,
Resident of Gadag,
Taluk & District: Dharwad,
Now at Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.
[split up]

Accused No. 3

Shri. Maktum Tahasildar,
Son of Shri. Babusab Tahasildar,
Aged about 20 years,
Resident of Gadag,
Taluk & District: Dharwad,
Now at Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.
[split up]

Accused No. 4

Shri. Umar Allimatti,
Son of Shri. Aminsab Allimatti,
Aged about 29 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.

Accused No. 5

Smt. Kousar Bepari,

Wife or Daughter of Shri. Rafiq Bepari,
Aged about 22 years,
Resident of Gandhi Nagar [Goutan],
Munavalli,
Taluk: Savadatti,
District: Belagavi.
[A-1,4 to 6 Rep by Adv. Shri. S. B. P.]
[A-2 and 3 : split up]
[A-5 is in JC]

Accused No. 6

ORDER ON SENTENCE

Under Section 28 of the Code of Criminal Procedure

The judgement in this case was pronounced on 27-06-2026. All the accused in this case were Charged with Offence punishable Offence under Section 143, Section 147, Section 344, Section 354-C, Section 376[2][n], Section 341, Section 420, Section 504, Section 506 read with Section 149 of Indian Penal Code and Under Section 3[1][r], Section 3[1][w][i], Section 3[2][v] and Section 3[2][va] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act. Section 66-E of Information Technology Act and Section 5 of the Karnataka Protection of Right Freedom of Religion Act.

2. This Court in this case having split up against other accused persons tried only first accused and fifth accused and sixth accused for above offences. Only first

accused is convicted for offence punishable under Section 376[2][n], 3[1][w][i], Section 3[2][v] and Section 5 of the Karnataka Protection of Right Freedom of Religion Act.

3. The first accused is acquitted of Charges for offence punishable under Section 143, Section 147, Section 344, Section 354-C, Section 341, Section 420, Section 504, Section 506 read with Section 149 of Indian Penal Code and Section 3[1][r], Section 3[2][v] and of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act. Section 66-E of Information Technology Act.

4. The Fifth accused and sixth accused are acquitted of all the above Charges and set at liberty. Upon conviction adequate opportunity was provided to the first accused who continued to be in Judicial Custody, Learned Advocate for the First Accused on quantum of Sentence of Fine and quantum of Sentence of Imprisonment, to be heard and the Learned Exclusive Special Public Prosecutor only on quantum of compensation to victim.

5. Thus, the parties were heard on 02-07-2026. The

first accused in person on Video Conference, submitted that

- i. That the first accused has two wives and three children.
- ii. The elder brother is no more and has two younger brothers.
- iii. The first accused states that he is politician and will be always with politicians of region.
- iv. That the accused also carries on business of selling Sheep.
- v. That the accused has no immovable property of his own and whole responsibility to nurture family is on this accused.
- vi. That in 6 cases this accused is convicted under Karnataka Police Act for gambling and further adds that inimical persons had included his name and offence was not committed by this accused
- vii. That there is one more case pertaining to unlawful assembly and rioting and related provision pertaining to offence against woman.
- viii. Therefore, the accused states that he has left the

Sentence to the discretion of this Court.

6. The learned advocate Smt. Sumitra Patil had remained absent and the Junior Advocate one Ms. K.L.N. appearing for first accused submitted that :-

- i. That the first accused has two wives and mother to be nurtured.
- ii. That the first accused is a social worker and daily wage earner and therefore seeks minimum Sentence.

7. In compliance to mandatory direction under Section 15 A[3] of The Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act the victim was served with Notice and as contemplated under Section 15-A[5] the victim was heard who submitted that:-

- i. That accused must be punished with Sentence for Life.
- ii. That in the event of accused being awarded minimum sentence the victim and her husband

will eliminated.

- iii. Though being inside the Prison about six months ago dashed against husband by a motorcycle without number plate and when police complaint was lodged the second accused was brought to police station from where the second accused Adil ran away. This was also confirmed by the Exclusive Learned Special Public Prosecutor.

8. On quantum of compensation the Learned Special Public Prosecutor the adequate compensation can be recovered from accused who has luxurious Car model "Innova" Toyota Company make and is habitual offender and as provided under Karnataka Protection of Right to Freedom of Religion Act Fine may be imposed and the same can be awarded to be paid to victim. The Learned Special Public Prosecutor submitted that this accused is gambler with affluence and being convicted six times and hence can afford substantial Fine amount.

9. In this backdrop the question arises for the consideration of this Court is :-

Whether the convicted first accused has made out mitigating circumstances to handout minimum Sentence prescribed for offence for which the accused has been found guilty beyond reasonable doubts? And What should the Sentence be?

10. I have perused the nature of participation of first accused that followed the conviction of accused. Before handing out Sentence it is most important for me to observe that sufficient time is allowed after pronouncing Judgement until hearing takes place on Sentence. I have taken cooling period before pronouncing the Sentence.

11. Repeatedly I find that the accused and Learned Advocate do not seek to place mitigating circumstances and there is always out of pocket submissions on Sentence which does not tally or synchronize with the submission of accused in person. In fact, it is this submission on Sentence in the event of effectively being brought out the mitigating circumstances that will seal the fate of accused for the rest of

life of accused, who is dependent on Advocate effectively bringing out the mitigating circumstances. The accused is master of circumstances that stands neglected and being placed before Court that will establish the mitigating circumstances.

12. However, to subserve the ends of Justice this Court shall ponder over these aspects whether there are mitigating circumstances within frame of submissions available on record. Be it so as that may be and it is left to introspection and conscience of Bar appearing for accused.

13. However, this Court shall not accept such callous approach and shall make all endeavour to probe the mitigating circumstances and proportionality of punishment to be handed out as Sentence to the accused.

14. Having heard the Accused in person and the Learned Advocates for the accused on quantum of Sentence of Imprisonment and on quantum of Fine and the Learned Exclusive Prosecutor, I proceed to determine the Point for

Consideration for handing out Sentence based on the following reasons:-

REASON

15. This is case in the event of one goes through the narrative in the Charge Sheet it is obvious that the victim to begin with has role and privy in extra marital affair being lured by employment after having suffered Sexual assault.

16. Thus first accused cannot be said to have accidentally fell a prey himself but his continued lustful ways had avenue in first getting closely acquainted with victim and then scheming in mind the unleashing of lust and fetching phone number from a lady across road and then having known none at home of victim the accused had pounced on victim and satisfied his lust which rendered victim also astray and had privy to the continued illicit relationship.

17. Thereafter the accused schemed to employ the second accused in transporting the victim to Swadhara Kendra diverting victim's travel to abode of her parents and

scheming and lodging victim in Swadhara Kendra by influence with Warden and thereafter housing victim along with sixth accused and lusting thereat. This manifestly establishes the crime did not occur accidentally but scheming in premeditated move when accused had time to evade from all this and yet committed with all intentions knowing the consequences. That is unpardonable and cannot be considered a mitigating circumstance in favour of accused.

18. Further the accused has not one but two women as his lawfully wedded wives and eyeing the wife of another man also manifestly indicate that the accused has neither morality or fear of law or fear of injunctions of his own religion.

19. Therefore this accused appears to be menace in the society and therefore showing leniency to this accused will only an undeserving charity to undeserving accused which shall put society into a perilous condition. The lawlessness in the hands of accused continues to reigns

around him and it was evident that the accused was unrepentant and without remorse. This is against judicial conscious to consider the Mitigating Circumstances.

20. The accused has two wives and their interest is supposed to be precarious in absence of accused. May be so initially but life moves on. Many families have lost head on different count and yet families have survived and moved ahead. Therefore interest of family or suffering of family of accused will never gain primacy over the Society in which we intend to unleash the accused with minimum sentence.

21. The accused is aged about 33 years as at the time of offence and in the event of minimum sentence of not less than ten years for highest degree of proved offence the accused would be liberated at 43 years and to crown this the accused may get remission using his political clout. Thus prowess of accused would not die down nor the purpose of Sentence of Reformation will only stand defeated. Hence in absence of mitigating circumstances coming forth by

omissions of placing the same effectivity I shall have to consider of only awarding maximum sentence.

22. The accused also did not choose to lead evidence on financial capacity of payment of Fine. The narrative of responsibility indicates that the accused is prodigal and has no dearth of money. Therefore imposition of fine and so also fine amount being accorded to victim will be ideal. Therefore the accused who is convicted on six occasions for gambling only indicates the affluence of accused. A clout of politician has his own undisclosed source of earnings and on that count as well the accused who has admitted being with politicians all the time cannot be said to have dearth of funds and therefore the imposition of fine shall also be substantial in this case.

23. Considering all the above acts the first accused having failed to make out any mitigating circumstances holding the point for consideration in the negative shall suffer Sentence as follows:-

SENTENCE

I. Exercising my powers conferred under Section 28[2] of the Code of Criminal

Procedure I hereby Sentence the first accused to undergo imprisonment for life [that means rigorous imprisonment] and the accused is further Sentenced to Fine of ₹. 1,00,000/= [Indian National Rupees of One Lakh Only] and in case of default to pay the Fine amount, the accused shall further undergo a term of simple imprisonment additionally for one year in the event of remission of tenure of Sentence of imprisonment by State Executive on Count of proved Charge of offence under Section 376[2] [n] of Indian Penal Code.

- II. Exercising my powers conferred under Section 28[2] of the Code of Criminal Procedure I hereby Sentence the first accused to undergo rigorous imprisonment for a period of 5 years and the accused is further Sentenced to Fine of ₹. 50,000/= [Indian National Rupees of Fifty Thousand Only] and in case of default to pay the Fine amount, the accused shall further undergo a term of simple imprisonment additionally for Six Months on Count of proved Charge of offence Section 3[i][wi] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act.

III. Exercising my powers conferred under Section 28[2] of the Code of Criminal Procedure I hereby Sentence the first accused to undergo imprisonment for life [that means rigorous imprisonment] and the accused is further Sentenced to Fine of ₹. 1,00,000/= [Indian National Rupees of One Lakh Only] and in case of default to pay the Fine amount, the accused shall further undergo a term of simple imprisonment additionally for one year in the event of remission of tenure of Sentence of imprisonment by State Executive on Count of proved Charge of offence under 3[2][v] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act.

IV. Exercising my powers conferred under Section 28[2] of the Code of Criminal Procedure I hereby Sentence the first accused to undergo rigorous imprisonment for a period of 5 years and the accused is further Sentenced to Fine of ₹. 25,000/= [Indian National Rupees of Twenty-Five Thousand Only] and in case of default to pay the Fine amount, the accused shall further undergo a term of simple imprisonment additionally for Three Months on Count of proved Charge of offence Section

5[1] of The Karnataka Protection of Right to Freedom of Religion Act.

- V. Exercising my powers conferred under Section 28[2] of the Code of Criminal Procedure and Section 5[2] of The Karnataka Protection of Right to Freedom of Religion Act, I hereby Sentence the first accused to pay compensation to the victim P.W.-1 a sum of ₹. 50,000/= within three months from this day of Judgement and in the event of failure to pay the Deputy Commissioner, Belagavi District shall initiate proceedings as though the accused is in arrears of land Revenue. Intimate the Deputy Commissioner, Belagavi District accordingly.
- VI. Exercising my Powers under Section 7 of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act the M.O.-10 the Toyota Make model "Innova" Car bearing No. KA-29 N-3274 owned by accused hereby stands forfeited to State and one Shri. Ismail Bepari the Power of Attorney Holder and brother of accused who got the vehicle released shall surrender the said Vehicle forthwith to this Court and Investigation Officer is hereby directed to ensure such surrender immediately.

- VII. Exercising my powers under Section 427 of the Code of Criminal Procedure, I hereby Order that the sentence of imprisonment awarded on all counts shall run concurrently.
- VIII. Exercising my powers under Section 427 of the Code of Criminal Procedure, I hereby order that the sentence of imprisonment awarded to the accused on all counts in default of fine shall also run concurrently. [*In compliance to Judgement of Hon'ble Supreme Court of India Criminal Appellate Jurisdiction Criminal Appeal No.... Of 2026 [Arising Out of Slp [Crl.] No. 19691 Of 2025] Hem Raj ...Appellant Versus the State Of Himachal Pradesh ...Respondent dated 08-04-2026*]. Further it is hereby Ordered that the further Sentence awarded in case default of Fine shall be rendered operative only in case of remission of Sentence by State as otherwise on a Count of Charge under Section 3[2][v] of Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act.
- IX. Exercising my powers under Section 428 of Code of Criminal Procedure, it is hereby ordered that the period of detention of accused during Inquiry and Trial shall be set off against

the maximum sentence handed out to the accused on all counts in the event of accused being considered for any remission by State.

X. Exercising my powers under Section 360 of Code of Criminal Procedure, the accused being found guilty of offence of higher degree, the accused is not entitled to be considered for any of the proved Charge, under the provisions of The Probation of Offenders Act.

XI. Exercising my powers under Section 357-A, it is hereby Ordered that State Authority that has disbursed compensation to P.W.-1 to an extent ₹. 50,000/= [Indian National Rupees of Fifty Thousand Only] shall be considered for full award of compensation awarded under Section 5[2] of the Karnataka Protection of Right to Freedom of Religion Act after its due recovery and copy of this Judgement and Sentence shall also be placed before District Legal Services Authority who shall ensure payment of victim compensation so scheduled for offence against woman under the Rules by State.

XII. Exercising my Powers under Section 457 of the Code of Criminal Procedure it is hereby Ordered that M.O.-1 to M.O.-10 shall be stand to

be detained by the Office of this Court and place on record of two Split up case against second accused and third accused and further split up case against fourth accused only as the same shall be required for those Trial.

XIII. In compliance to my duty under Section 365 of the Code of Criminal Procedure the office is directed to send the copies of Judgment and Sentence imposed in this case to the District Executive Magistrate District of Belagavi as required thereunder and for implementation of aspirations of the Court as well.

XIV. Exercising my powers under Chapter VIII Rule 7[3][iii] of Criminal Rules of Practice the Office is directed to supply free copy of judgment and Sentence forthwith to the first accused.

XV. Exercising my powers under Chapter VIII, Rule 7[3][iv] of Criminal Rules of Practice the Office is directed to supply free copy of judgment and Sentence forthwith to the Superintendent of District Prison, Belagavi.

XVI. Exercising my powers under Chapter VIII Rule 7[3][viii] of Criminal Rules of Practice the Office is directed to supply free copy of

judgment and Sentence forthwith to the Public Prosecutor.

XVII. The office of this Court is directed to furnish copies of Judgement and Sentence to :-

- i. Hon'ble Member Secretary District Legal Services Authority District of Belagavi.
- ii. The Investigation Officer to ensure surrender of motorcar in tune with this Sentence and also to assist Hon'ble Member Secretary District Legal Services Authority, Belagavi District in securing the victim for implementation of Orders of this Court.

XVIII. Issue warrant of conviction.

[Directly word processed on the computer in my Home Office corrected, and printed and the Order on Sentence pronounced by me in the open Court under the Seal and Signature of this Court on this the 10th Day of July 2026]

SAVITHA KUMARI. N.
III ADDL. SESSIONS JUDGE
THE EXCLUSIVE SPECIAL COURT
Constituted for Offence Under
Scheduled Castes & Scheduled Tribes
[Prevention Of Atrocities] Act.
Belagavi.

ANNEXURE

LIST OF WITNESSES EXAMINED ON BEHALF OF
PROSECUTION

SL. No .	In the Charge Sheet	In the Trial	Name	Date
1	C.W.-01	P.W.-01	Smt.Kaveri Bhajantri	18-03-2025
2	C.W.-02	P.W.-02	Shri.Jayadeva Dyavakkanavar	06-03-2026
3	C.W.-03	P.W.-03	Shri.Gadigeppa Ugargol	06-03-2026
4	C.W.-05	P.W.-04	Shri.Mahadevappa Vajarmatti	07-03-2026
5	C.W.-10	P.W.-05	Shri.Laxman Kitadal	10-03-2026
6	C.W.-11	P.W.-06	Shri.Ashok Madar	10-03-2026
7	C.W.-06	P.W.-07	Shri.Mahantesh Bennur	17-03-2026
8	C.W.-07	P.W.-08	Shri.Krishnaji Arer	17-03-2026
9	C.W.-08	P.W.-09	Shri.Ishwar Betageri	17-03-2026
10	C.W.-12	P.W.-10	Shri.Murtoji Mulla	17-03-2026
11	C.W.-19	P.W.-11	Smt.Shailaja Kurbet	18-03-2026
12	C.W.-13	P.W.-12	Shri.Yallappa Beregudda A.k.a. Bhajantri	23-03-2026
13	C.W.-09	P.W.-13	Shri.Yallappa Bhajantri	23-03-2026
14	C.W.-43	P.W.-14	Shri.Suresh Bendegubal	27-03-2026
15	C.W.-30	P.W.-15	Shri.Nagappa Karadi	28-03-2026
16	C.W.-44	P.W.-16	Shri.M.Pandurangayya	01-04-2026
17	C.W.-45	P.W.-17	Dr.Ravi S.	16-05-2026

LIST EXHIBITS MARKED ON BEHALF OF PROSECUTION

Exhibit No	Description	Marked Through	Date
Ex.P.-1	Complaint	P.W. -01	03-03-2026
Ex.P.-1[a]	Signature of P.W.-1	P.W. -01	03-03-2026

Ex.P.-1[b]	Signature of P.W.-1	P.W. -01	03-03-2026
Ex.P.-1[c]	Signature of P.W.-1	P.W. -01	03-03-2026
Ex.P.-1[d]	Endorsement	P.W. -14	27-03-2026
Ex.P.-1[e]	Signature of P.W.-14	P.W. -14	27-03-2026
Ex.P. -2	Panchnama	P.W. -01	03-03-2026
Ex.P.-2[a]	Signature of P.W.-1	P.W. -01	03-03-2026
Ex.P.-2[b]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P.-3	1 photograph	P.W.-01	03-03-2026
Ex.P.-4	Panchanama	P.W.-01	03-03-2026
Ex.P.-4[a]	Signature of P.W.-1	P.W.-01	03-03-2026
Ex.P.-4[b]	Signature of P.W.-3	P.W.-03	06-03-2026
Ex.P.-4[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P.-5	Panchanama	P.W.-01	03-03-2026
Ex.P.-5[a]	Signature of P.W.-1	P.W.-01	03-03-2026
Ex.P.-5[b]	Signature of P.W.-3	P.W.-03	06-03-2026
Ex.P.-5[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P.-6	One Photograph	P.W.-01	03-03-2026
Ex.P.-7	Panchanama	P.W.-01	03-03-2026
Ex.P.-7[a]	Signature of P.W.-1	P.W.-01	03-03-2026
Ex.P.-7[b]	Signature of P.W.-3	P.W.-03	06-03-2026
Ex.P.-7[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P. -8	Photograph	P.W.-01	03-03-2026
Ex.P. -9	Panchanama	P.W.-01	03-03-2026
Ex.P.-9[a]	Signature of P.W.-1	P.W.-01	03-03-2026
Ex.P.-9[b]	Signature of P.W.-3	P.W.-03	06-03-2026
Ex.P.-9[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P.-10 & 11	2 Photographs	P.W.-01	03-03-2026
Ex.P. -12	Article Seizure Panchanama	P.W.-02	06-03-2026
Ex.P.-12[a]	Signature of P.W.-02	P.W.-02	06-03-2026

Ex.P.-12[b]	Signature of P.W.-03	P.W.-03	06-03-2026
Ex.P.-12[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P. -13	One Photograph	P.W.-02	06-03-2026
Ex.P. -14	Police Notice	P.W.-02	06-03-2026
Ex.P -14 [a]	Signature of P.W.-02	P.W.-02	06-03-2026
Ex.P. -15	Police Notice	P.W.-03	06-03-2026
Ex.P.-15[a]	Signature of P.W.-02	P.W.-03	06-03-2026
Ex.P-15[b]	Portion of statement of PW-12	P.W.-12	23-03-2026
Ex.P-15[c]	Portion of statement of PW-12	P.W.-12	23-03-2026
Ex.P.-16 & 17	2 Photographs	P.W.-03	06-03-2026
Ex.P -18	Panchanama	P.W.-03	06-03-2026
Ex.P.-18[a]	Signature of P.W.-3	P.W.-03	06-03-2026
Ex.P.-18[b]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P.-19 & 20	2 Photographs	P.W.-03	06-03-2026
Ex.P.-21	Mobile Seizure Panchanama	P.W.-04	07-03-2026
Ex.P.-21[a]	Signature of P.W.-4	P.W.-04	07-03-2026
Ex.P.-21[b]	Statement of P.W.-7	P.W.-07	10-03-2026
Ex.P.-21[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P.-22	One Photograph	P.W.-04	07-03-2026
Ex.P.-23	Spot panchanama	P.W.-04	07-03-2026
Ex.P. -23[a]	Signature of P.W.-4	P.W.-04	07-03-2026
Ex.P-23[b]	Statement of P.W.-7	P.W.-07	10-03-2026
Ex.P-23[c]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-24 & 25	2 Photographs	P.W.-04	07-03-2026
Ex.P.-26	Police Notice	P.W.-04	07-03-2026
Ex.P.-26[a]	Signature of P.W.-4	P.W.-04	07-03-2026
Ex.P.-27	Statement of P.W.-5	P.W.-05	10-03-2026
Ex.P.-28	Statement of P.W.-6	P.W.-06	10-03-2026
Ex.P.-29	Police Notice	P.W.-07	17-03-2026

Ex.P.-29[a]	Statement of P.W.-7	P.W.-07	17-03-2026
Ex.P. -30	Car Seizure Panchnama	P.W.-08	17-03-2026
Ex.P.-30[a]	Signature of P.W.-8	P.W.-08	17-03-2026
Ex.P.-30[b]	Signature of P.W.-9	P.W.-09	17-03-2026
Ex.P.-30[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P -31 & 32	2 Photographs	P.W.-08	17-03-2026
Ex.P.-33	Panchanama	P.W.-08	17-03-2026
Ex.P -33[a]	Signature of P.W.-8	P.W.-08	17-03-2026
Ex.P.-33[b]	Signature of P.W.-9	P.W.-09	17-03-2026
Ex.P.-33[c]	Signature of P.W.-16	P.W.-16	01-04-2026
Ex.P.-34	One Photograph	P.W.-08	17-03-2026
Ex.P.-35	Portion of statement of PW-10	P.W.-10	17-03-2026
Ex.P.-35[a]	Portion of statement of PW-10	P.W.-10	17-03-2026
Ex.P.-36	Request	P.W.-11	18-07-2026
Ex.P.-36[a]	Signature of P.W.-1	P.W.-11	18-07-2026
Ex.P.-37	Wound Certificate	By consent	24-03-2026
Ex.P.-38	Final Opinion	By consent	24-03-2026
Ex.P.-39	Medical Certificate	By consent	25-03-2026
Ex.P.-40	Final Opinion	By consent	20-03-2026
Ex.P.-41	RFSL Report	By Consent	25-03-2025
Ex.P.-42	First Information Report	P.W.-14	27-03-2026
Ex.P. -42[a]	Signature of PW-14	P.W.-14	27-03-2026
Ex.P.-43	Report	P.W.-15	28-03-2026
Ex.P.-43[a]	Signature of PW-15	P.W.-15	28-03-2026
Ex.P.-44	Investigation Order	P.W.-16	01-04-2026
Ex.P.-44[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-45	Memorandum	P.W.-16	01-04-2026
Ex.P.-45[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-46	Report	P.W.-16	01-04-2026

Ex.P.-46[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-47	Portion of statement of PW-16	P.W.-16	01-04-2026
Ex.P.-48	Rough sketch	P.W.-16	01-04-2026
Ex.P.-48[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-49	Property list No.114 of 2024	P.W.-16	01-04-2026
Ex.P.-49[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-50	Property list No.116 of 2024	P.W.-16	01-04-2026
Ex.P.-50[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-51	Request	P.W.-16	01-04-2026
Ex.P.-51[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-52	Caste Certificate	P.W.-16	01-04-2026
Ex.P.-52[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-53	Request	P.W.-16	01-04-2026
Ex.P.-53[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-54	Caste Certificate	P.W.-16	01-04-2026
Ex.P.-54[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-55	Informant	P.W.-16	01-04-2026
Ex.P.-55[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-56	Rough sketch	P.W.-16	01-04-2026
Ex.P.-56[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-57	Rough sketch	P.W.-16	01-04-2026
Ex.P.-57[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-58	Rough sketch	P.W.-16	01-04-2026
Ex.P.-58[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-59	P.F. No.118 of 2024	P.W.-16	01-04-2026
Ex.P.-59[a]	Signature of PW-16	P.W.-16	01-04-2026

Ex.P.-60	Request	P.W.-16	01-04-2026
Ex.P.-60[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-61	Acknowledgement letter	P.W.-16	01-04-2026
Ex.P.-61[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-62	Request	P.W.-16	01-04-2026
Ex.P.-62[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-63	Request	P.W.-16	01-04-2026
Ex.P.-63[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-64	Request	P.W.-16	01-04-2026
Ex.P.-64[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-65	Certified copy of Tax Assessment list	P.W.-16	01-04-2026
Ex.P.-65[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-66	Certified copy of Tax Assessment list	P.W.-16	01-04-2026
Ex.P.-66[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-67	Request	P.W.-16	01-04-2026
Ex.P.-67[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-68	65-B Certificate	P.W.-16	01-04-2026
Ex.P.-68[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-69	65-B Certificate	P.W.-16	01-04-2026
Ex.P.-69[a]	Signature of PW-16	P.W.-16	01-04-2026
Ex.P.-70	RFSL Report	P.W.-17	16-05-2026

**LIST EXHIBITS MATERIAL OBJECTS MARKED ON BEHALF OF
PROSECUTION**

SL. No	Description	Marked Through	Date
1	Green, Gray and cream colour Design saree	P.W.-1	04-03-2026
2	Chocolate colour Sari Petikot[langa]	P.W.-01	04-03-2026
3	Pink colour blouse	P.W.-01	04-03-2026
4	1 nicker	P.W.-01	04-03-2026
5	Black colour Andride mobile	P.W.-01	04-03-2026
6	Current bill	P.W.-01	04-03-2026
7	Chocolate colour burkha	P.W.-01	04-03-2026
8	Black colour Vivo Company mobile	P.W.-10	01-04-2026
9	Black colour Burkha	P.W.-10	01-04-2026
10	Car reported in Ex.P-32	P.W.-10	01-04-2026

**LIST OF WITNESSES EXAMINED ON BEHALF OF ACCUSED
IN DEFENCE**

Sl No	Charge Sheet	In Trial	Name	Date
0	NIL	NIL	NIL	NIL

LIST OF EXHIBITS OF ACCUSED IN DEFENCE

Exhibit No	Description	Marked Through	Date
Ex.D.-1	Letter	P.W.-2	02-04-2026
Ex.D.-2	Beneficiary Letter	P.W.-16	02-04-2026
Ex.D.-3	Certified copy of Report	P.W.-16	02-04-2026
Ex.D.-4	Letter	P.W.-16	02-04-2026

Ex.D.-5	Certified copy of letter	P.W.-16	02-04-2026
Ex.D.-6	Certified copy of letter	P.W.-16	02-04-2026
Ex.D.-7	Certified copy of application	P.W.-16	02-04-2026
Ex.D.-8	Certified copy of application	P.W.-16	02-04-2026
Ex.D.-9	Certified copy of request	P.W.-16	02-04-2026
Ex.D.-10	Application	P.W.-16	02-04-2026
Ex.D.-11	Portion of statement of PW-13	P.W.-13	05-05-2026
Ex.D.-12	Portion of statement of PW-13	P.W.-13	05-05-2026
Ex.D.-13	Portion of statement of PW-13	P.W.-13	05-05-2026
Ex.D.-14	Portion of statement of PW-13	P.W.-13	06-05-2026
Ex.D.-15	Portion of statement of PW-12	P.W.-12	07-05-2026
Ex.D.-15[a]	Portion of statement of PW-12	P.W.-12	07-05-2026
Ex.D.-15[b]	Portion of statement of PW-12	P.W.-12	07-05-2026

SAVITHA KUMARI. N.
THE III ADDL SESSIONS JUDGE
THE EXCLUSIVE SPECIAL COURT
Constituted for Offence triable Under
Scheduled Caste & Scheduled Tribe
[Prevention Of Atrocities] Act.
BELAGAVI

