

IN THE COURT OF II ADDITIONAL DISTRICT AND
SESSIONS JUDGE AT CHIKKAMAGALURU

S.C No.34/2024

Complainant : State by Balur Police,

VS

Accused : Dinesh Kumar and another

(Before reading the charge to accused, who are in judicial custody at District Prison, Chikkamagaluru, it is got confirmed from the accused that voice is clearly audible and it is also got confirmed by the coordinator of remote point that there is no technical defect in recording the say of accused through video conferencing.)

CHARGE

I, Guruprasad Kulkarni, B.A., LL.B (Hons), II Addl., District and Sessions Judge, Chikkamagaluru do hereby charge you:

1. Dinesha Kumar S/o. Charku Ram,
Aged about 22 years,
R/o Tata Estate line house, Gabgal
village, Balur Hobli, Mudigere Taluk.
2. Payal Kumari D/o. Avad Bihari Baida,
Aged about 23 years, Labourer,
R/o Tata Estate line house, Gabgal village,
Balur Hobli, Mudigere Taluk.

as follows:

That you accused No.2 were living with accused No.1 as couples along with a child Shivakumar, who is

born to you accused No.2 through your first husband, at Tata Coffee Estate situated at Gabgal village, Mudigere Taluk within the jurisdiction of Balur Police Station.

On 18.12.2023 at about 1.00 p.m, accused No.1 picked up quarrel with accused No.2 with regard to nurturing said Shivakumar believing him to be an hindrance to your relationship and you accused No.2 told you accused No.1 to get rid of him. Thereafter, on the same day at 1.30 p.m, you accused No.1 took Shivakumar to a distance of 200 metres from your house at coolie line and squeezed his neck and returned home by throwing him into a slope at said estate under the impression that he had died and disclosed the same to you accused No.2 and you both decided not to disclose about the incident to anyone and to pretend as if the child was killed by some animal.

After sometime, you both heard the cry of Shivakumar and you accused No.1 went there and brought him back home and thereafter you accused No.1 took Shivakumar under the pretext that he would be taking him to hospital and at about 2.45 p.m at the curve on the road towards Balur situated at about 400 metres from the main gate of Tata Coffee Estate, you accused No.1 again squeezed the neck of Shivakumar and murdered him and thereby you the accused committed an offence punishable under Section 302 of Indian Penal

Code r/w Section 34 of said Code and within my cognizance.

That on the aforesaid date, time and place, in furtherance of your common intention after murdering the said Shivakumar, you accused No.1 took him back near your house and lied to CW.2-Vinoda, CW.3-Rakesh and CW.8-Thangavelu that he had lost consciousness and took said Shivakumar to MGM hospital, Mudigere alongwith CW.2 and CW.3 in order to screen the evidence of offence and to escape yourselves from legal punishment and thereby you accused have committed an offence punishable under Section 201 of Indian Penal Code r/w Section 34 of said Code and within my cognizance.

And I hereby direct that you be tried by this Court on the above said charges.

Date:07.06.2024.

Sd/-

(Guruprasad Kulkarni)
II Addl District & Sessions Judge,
Chikkamagaluru

IN THE COURT OF II ADDITIONAL DISTRICT AND
SESSIONS JUDGE AT CHIKKAMAGALURU

S.C No.34/2024

Name of accused :Dinesh Kumar
Father's name :Charku Ram
Age : 22 years,
Occupation : Labourer
Residence : Tata Estate Line House,
Gabgal village, Balur Hobli,
Mudigere Taluk.

**PLEA OF THE ACCUSED RECORDED UNDER
SECTION 228(2) OF Cr.P.C.**

1) Have you heard the charge now read over and explained to you?

Ans: Yes

2) Do you plead guilty or claim to be tried?

Ans: Plead not guilty

R.O.I & A.C.

Sd/-
(Guruprasad Kuklarni)
II Addl District & Sessions Judge
Chikkamagaluru

Date: 07.06.2024.

IN THE COURT OF II ADDITIONAL DISTRICT AND
SESSIONS JUDGE AT CHIKKAMAGALURU

S.C No.34/2024

Name of accused : Payal Kumari
Father's name : Avad Bihari Baida
Age : 23 years,
Occupation : Labourer
Residence : Tata Estate Line House,
Gabgal village, Balur Hobli,
Mudigere Taluk.

**PLEA OF THE ACCUSED RECORDED UNDER
SECTION 228(2) OF Cr.P.C.**

1) Have you heard the charge now read over and explained to you?

Ans: Yes

2) Do you plead guilty or claim to be tried?

Ans: Plead not guilty.

R.O.I & A.C.

Sd/-
(Guruprasad Kuklarni)
II Addl. District & Sessions Judge
Chikkamagaluru

Date: 07.06.2024.