

IN THE COURT OF I ADDITIONAL SESSIONS &
SPECIAL JUDGE AT CHIKKAMAGALURU

Spl.C No.110/2023

Complainant : State by Tarikere Town P.S.
vs
Accused : Hanumanthappa & others

C H A R G E

I, Bhanumathi B.C., B.A.L, LL.B., I Addl. Sessions & Special Judge, Chikkamagaluru, do hereby charge you:

1. Hanumanthappa, S/o Ramanna, Aged 45 years, Hotel work, R/o Tyagaraja Badavane, Tarikere Town.
2. Jayalakshmi, W/o Hanumanthappa, Aged 41 years, House wife, R/o Tyagaraja Badavane, Tarikere Town.
3. Suresha T., S/o Toreyappa, Aged 59 years, Coolie, R/o Basaveshwara street, Tarikere Town.
4. Raju, S/o Mylarappa, Aged 28 years, Coolie, R/o Siddarahalli, Tarikere Taluk.
5. Kiran Nayaka T.S., S/o Suresh, Aged 29 years, Coolie, R/o Basaveshwara road, Tarikere Town.
6. Vijay Kumar, S/o Sathyanarayana, Aged 29 years, Coolie, R/o Ambedkar Nagara, Tarikere Town.

as follows:

That about 1 or 1½ months back to the date of incident CW.1-Paramesha had built a sheet shed in

site No.108 situated at Ashraya layout of Sundaresh layout formed in Sy.No.107 of Galihalli village, Tarikere Town standing in the name of CW.7-Renukamma (mother of CW.1) within the jurisdiction of Tarikere Town Police Station and that on 18.12.2022 at about 12 Noon and 7 p.m. when CW.1, CW.5-Shivamurthy and CW.6-Shivakumar were in the said shed, you the accused No.1 to 6 with the common object of abusing and assaulting CW.1, CW.5 and CW.6 and also destroying the said shed, formed yourselves into an unlawful assembly and thereby you the accused committed an offence punishable under Section 143 of Indian Penal Code and within my cognizance.

2. That on the aforesaid date, time and place, you accused No. 1 to 6 being the members of unlawful assembly armed with deadly weapon like iron rod and in furtherance of the common object of assaulting CW.1, 5 and 6 and thereby you the accused committed an offence punishable under Section 144 of Indian Penal Code within my cognizance.

3. That on the aforesaid date, time and place, you accused No.1 to 6 being the members of unlawful assembly and in furtherance of your common object, used criminal force on CW.1, 5 and 6 and thereby you the accused committed an offence of rioting punishable under Section 147 of Indian Penal Code and within my cognizance.

4. That on the aforesaid date, time and place, you accused No.1 to 6 being the members of unlawful assembly and in furtherance of the common object of said assembly used criminal force by holding deadly weapon like iron rod and thereby you the accused committed an offence punishable under section 148 of Indian Penal Code and within my cognizance.

5. That on the aforesaid date, time and place, you accused No.1 to 6 being the members of unlawful assembly and in furtherance of the common object of said assembly trespassed into aforesaid shed with an intention to commit crime and thereby you accused committed an offence punishable under section 448 of Indian Penal Code r/w Section 34 of said Code and within my cognizance.

6. That on the aforesaid date, time and place, you accused No.1 to 6 being the members of unlawful assembly and in furtherance of the common object of said assembly destroyed the aforesaid shed, pulled away the gas cylinder, plates, vessels, cot, bed, carpet and caused loss to the tune of Rs.10,000/- to CW.1 and thereby you the accused committed an offence punishable under section 427 of Indian Penal Code r/w Section 149 of said Code and within my cognizance.

7. That on the aforesaid date, time and place, you accused No.1 to 6 being the members of unlawful assembly and in furtherance of your common object and in the course of same transaction, pushed CW.6 towards the sheet of shed causing injury to his right hand little finger, you accused No.1 to 5 assaulted CW.6 with hands on his person and thereby having voluntarily caused simple hurt to him, you accused committed an offence punishable under section 323 of Indian Penal Code R/w section 149 of said Code and within my cognizance.

8. That on the above said date, time and place, you accused No.1 to 6 being the members of unlawful assembly in furtherance of your common object and in the course of same transaction, you accused No.6 assaulted CW.6 with an iron rod on his person and thereby having voluntarily caused simple hurt to

him, you accused committed an offence punishable under section 324 of Indian Penal Code R/w section 149 of said Code and within my cognizance.

9. That on the aforesaid date, time and place, you accused No.1 to 6 being the members of unlawful assembly in furtherance of your common object and in the course of same transaction, abused CW.1 in filthy language, gave provocation to him knowing fully well that such provocation would cause him to break the public peace and thereby you the accused committed an offence punishable under section 504 of Indian Penal Code r/w. Section 149 of said Code and within my cognizance.

10. That on the above said date, time and place, you accused No.1 to 6 being the members of unlawful assembly in furtherance of your common object and in the course of same transaction, threatened the life of CW.1, 5 and 6 with dire consequences and thereby committed an offence of criminal intimidation punishable under section 506 of Indian Penal Code r/w. Section 149 of said Code and within my cognizance.

11. That on the aforesaid date, time and place, you accused No.1, 2 and 4 not being the members of Scheduled Castes or Scheduled Tribes, intentionally insulted CW.1, CW.5 and CW.6, members of Scheduled Caste with intent to humiliate them within public view and thereby committed the offence punishable under Section 3(1)(r) of the SC & ST (Prevention of Atrocities) Act and within my cognizance.

12. That on the aforesaid date, time and place, you accused No.1, 2 and 4 not being the members of Scheduled Castes or Scheduled Tribes, abused CW.1, CW.5 and CW.6, members of Scheduled Caste by

touching the name of their caste within public view and thereby committed the offence punishable under Section 3(1)(s) of the SC & ST (Prevention of Atrocities) Act and within my cognizance.

13. That on the aforesaid date, time and place, you accused No.1, 2 and 4 not being the members of Scheduled Caste or Scheduled Tribe, damaged the shed built in the aforesaid site therein and interfered with the enjoyment of rights by CW.1, CW.5 and CW.6, the members of Scheduled Caste and thereby committed the offence punishable under Section 3(1)(g) of the SC & ST (Prevention of Atrocities) Act, within the cognizance of this Court.

14. That on the aforesaid date, time and place, you accused No.1, 2 and 4 not being the members of Scheduled Castes or Scheduled Tribes, committed the offence under Sections 143, 144, 147, 148, 323 and 506 of IPC against CW.1, CW.5 and CW.6 knowing that they are the members of a Scheduled Caste and thereby committed an offence punishable under Section 3(2)(va) of the SC & ST (Prevention of Atrocities) Act, and within my cognizance.

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

Dated this the 26th day of September 2024.

Sd/-
(Bhanumathi B.C.)
I Addl Sessions & Special Judge,
Chikkamagaluru.