

**IN THE COURT OF THE I ADDL. SESSIONS & SPL.
JUDGE AT CHIKKAMAGALURU.**

SPECIAL CASE No.83/2018

Complainant: State by Balehonnur Police

Versus

Accused: Prakasha U.H. and others

CHARGE

I, K.L.Ashok, B.Com., L.L.B, 1st Addl. Sessions and Special Judge, Chikkamagaluru, do hereby charge you:

1. Prakasha U.H., S/o Hoovappa Gowda, Aged about 32 years, Agriculturist,
 2. Sudeera U.M., S/o Manjappa Gowda, Aged about 28 years, Agriculturist,
 3. Bobanna @ Kundegowda, S/o Hoovappa Gowda, Aged about 51 years, Agriculturist,
- All are R/o Ujjini, Bidare Village, Khandya Hobli, Chikkamagaluru Taluk.

as follows:

That on 08.01.2018 at about 5.00 p.m. at Ujjini, Bidare Village, Khandya Hobli, Chikkamagaluru Taluk, coming within the jurisdiction of Balehonnur Police Station, when CW1 Shivappa was proceeding from Balehonnur to Ujjini in a Sahakara Sarige Bus bearing registration No.KA-18/A-823 near the arch towards Khandya, you accused No.1 to 3 were standing

on the middle of the road by talking over phone and when CW1 told you to go to side, you accused persons with common intention abused CW1 in filthy language and thereby insulted him and provoked him to commit breach of peace and thereby committed the offence punishable under section 504 r/w Section 34 of I.P.C., and within the cognizance of this Court.

Secondly, on the aforesaid date, time and place, in furtherance of your common intention, you accused persons followed and stopped the above said bus and dragged CW1 Shivappa from the said bus and wrongfully restrained him from proceeding further and thereby committed the offence punishable under Section 341 r/w Section 34 of I.P.C., and within the cognizance of this Court.

Thirdly, on the aforesaid date, time and place, you accused in furtherance of your common intention, voluntarily caused hurt to CW1 Shivappa by assaulting him with hands on his person and tearing his cloth and thereby committed an offence punishable under Section 323 r/w Section 34 of I.P.C. and within the cognizance of this Court.

Fourthly, on the aforesaid date, time and place, you accused in furtherance of your common intention, criminally intimidated CW1 Shivappa by giving life threat and thereby committed an offence punishable under Section 506 r/w Section 34 of I.P.C. and within the cognizance of this court.

Fifthly, on the aforesaid date, time and place, you accused No.1 to 3 not being the member of Scheduled Caste or Scheduled Tribe, intentionally insulted CW1 Shivappa, member of Scheduled Caste, with intent to humiliate him within public view, by abusing him by touching the name of his caste, and thereby committed the offence punishable under Section 3(1)(r) and 3(1)(s) of the SC & ST (Prevention of Atrocities) Act, and within the cognizance of this Court.

Lastly, on the aforesaid date, time and place, you accused not being the member of Scheduled Castes or Scheduled Tribes, committed offence under Sections 323, 341 and 506 of I.P.C against CW1 Shivappa knowing that he is a member of Scheduled Caste and thereby committed an offence punishable under Sec.

3(2)(va) of the SC & ST (Prevention of Atrocities) Act, and within the cognizance of this Court.

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

Dated this the 18th day of January 2021.

Sd/-

(K.L.Ashok),

*1st Addl. Sessions & Spl. Judge,
Chikkamagaluru.*

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