

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

SPECIAL CASE No.117/2019

Complainant: State by Mudigere Police

Versus

Accused: Chethan H.C. and others

CHARGE

I, K.L.Ashok, B.Com., LL.B, 1st Addl. Dist. & Sessions Judge,
Chikkamagaluru, do hereby charge you:

1. Chethan H.C. @ Chethan Poojari, S/o Chandra Poojari, Aged about 24 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.
2. Jeevan Kumar A.N. @ Jeevan, S/o Narayana, Aged about 29 years, Labourer, R/o Halekote Village, Mudigere Taluk, Permanent R/o Indira Nagara, Arehalli Village, Beluru Taluk, Hassan District.
3. Vijay Kumar @ Vijay @ Kumar, S/o Srineevasa Naik, Aged about 30 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.
4. Dinesh H.S., S/o Subramanya, Aged about 22 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.
5. Ganesh H.S., S/o Subramanya, Aged about 25 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.
6. Madhu @ Vishwanath, S/o Srinivasa Naika, Aged about 35 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.

7. *Vijendra H.S. @ Vijayendra H.S., S/o Srineevasa Naik, Aged about 26 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.*
8. *Chandru Poojari @ Chandru, S/o Jarappa Poojari, Aged about 52 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.*
9. *Krishna, S/o Swamy, Aged about 50 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.*
10. *Sanketh J.M., S/o Manjunath, Aged about 21 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.*
11. *Kiran H.M., S/o Manjunatha, Aged about 23 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.*
12. *Naveen B.S., S/o Somashekharappa, Aged about 25 years, Labourer, R/o Bettagere Village, Banakal Hobli, Mudigere Taluk.*
13. *Prabhakar B.S., S/o Swaminatha, Aged about 42 years, Car driver, R/o Nelihudikeri Village, Kushalanagar Hobli, Somavarapete Taluk, Kodagu District.*
14. *Praveena @ Rajesh, S/o Ananda Poojari, Aged about 24 years, Photographer, R/o Bettagere Village, Banakal Hobli, Mudigere Taluk.*
15. *Vinay C., S/o Raju @ Laxmi Raju, Aged about 30 years, Labourer, R/o Halekote Village, Bidarahalli Post, Mudigere Taluk.*

as follows:

That on 24.05.2019 at about 7.45 p.m. at Sri Marikamba layout, Halekote Village, Mudigere Taluk, coming within the jurisdiction of

Mudigere Police Station, with regard to previous ill will that CW5 Prasad H.T. had pacified the quarrel as to a site of one Prabhakara, you accused No.1 to 15 formed yourselves into an unlawful assembly, with a common object of committing an offence and thereby committed an offence punishable under Section 143 of I.P.C., within the cognizance of this Court.

Secondly, on the aforesaid date, time and place, you accused persons being the members of unlawful assembly, and in furtherance of the common object of said assembly and in the course of the same transaction, armed with deadly weapons like club and thereby committed an offence punishable under Section 144 of I.P.C. within the cognizance of this Court.

Thirdly, on the aforesaid date, time and place you accused persons being the members of unlawful assembly, and in furtherance of the common object of said assembly and in the course of the same transaction, committed an offence of rioting, and thereby committed an offence punishable under Section 147 of I.P.C., within the cognizance of this Court.

Fourthly, on the aforesaid date, time and place you accused persons being the members of unlawful assembly, and in furtherance of

the common object of said assembly and in the course of the same transaction, committed an offence of rioting being armed with deadly weapon like club and thereby committed an offence punishable under Section 148 of I.P.C., within the cognizance of this Court.

Fifthly, on the aforesaid date, time and place you accused persons being the members of unlawful assembly, and in furtherance of the common object of said assembly and in the course of the same transaction, wrongfully restrained CW1 Santhosh from proceeding further and thereby committed the offence punishable under Section 341 r/w Section 149 of I.P.C., and within the cognizance of this Court.

Sixthly, on the aforesaid date, time and place, you accused persons being the members of unlawful assembly, and in furtherance of the common object of said assembly and in the course of the same transaction, abused CW4 Smt.Kamala @ Kamamma and CW1 Santhosh in filthy language and thereby insulted them and provoked them to commit breach of peace and thereby committed the offence punishable under Section 504 r/w Section 149 of I.P.C., and within the cognizance of this Court.

Seventhly, on the aforesaid date, time and place, you accused persons being the members of unlawful assembly, and in furtherance of

the common object of said assembly and in the course of the same transaction, you accused No.1 to 15 voluntarily caused hurt to CW1 Santhosh by kicking him with legs on his hand, back and other parts of the body and thereby committed the offence punishable under section 323 r/w Section 149 of I.P.C., within the cognizance of this Court.

Eighthly, on the aforesaid date, time and place, you accused persons being the members of unlawful assembly, and in furtherance of the common object of said assembly and in the course of the same transaction, you accused No.1 and 4 voluntarily caused simple hurt to CW1 Santhosh by assaulting him with a club on his right hand and left thigh respectively and thereby committed an offence punishable under Section 324 r/w Section 149 of I.P.C., within the cognizance of this Court.

Ninthly, on the aforesaid date, time and place, you accused persons being the members of unlawful assembly, and in furtherance of the common object of said assembly and in the course of the same transaction, criminally intimidated CW1 Santhosh by giving life threat and thereby committed an offence punishable under Section 506 r/w Section 149 of I.P.C. and within the cognizance of this Court.

Tenthly, on the above said date, time and place, you accused No.1, 2, 4, 5, 8 to 15 not being the members of Scheduled Caste or Scheduled Tribe, intentionally insulted CW1 Santhosh and CW4 Smt.Kamala @ Kamalamma, members of Scheduled Caste/Tribe, with intent to humiliate them within public view, by abusing them by touching the name of their caste, and thereby committed the offences 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 No.1, 2, 4, 5, 8 to 15 not being the members of Scheduled Castes or Scheduled Tribes, committed the offence under Sections 143, 144, 147, 148, 323, 324, 341 and 506 of I.P.C. against CW1 Santhosh and CW4 Kamalamma knowing that they are the members of a Scheduled Caste or a Scheduled Tribe and thereby committed an offence punishable under Section 3(2)(va) of the SC & ST (Prevention of Atrocities) Act, and within the cognizance of this Court.

Dated this the 2nd day of March 2021.

Re

Sd/-
(K.L.Ashok),
1st Addl. Sessions & Spl. Judge,
Chikkamagaluru.