

IN THE COURT OF THE ADDL.CIVIL JUDGE & JMFC,
AT ALAND

C.C. NO:172/2020

The State through Madan Hipparga P.S.-V/s. – Ganapati & Others

C H A R G E

*I, **YALLAPPA KALLAPUR**, C/c. Addl. Civil Judge & JMFC Aland, do hereby charge you,*

ACCUSED:

1. Ganapati S/o. Kalyani Parit,
Aged: 50 years, Occ: Agriculture,
R/o. Sarasamba Village, Tq: Aland.
2. Shivanand S/o. Ganapati Parit,
Aged: 20 years, Occ: Private Work,
R/o. Sarasamba Village, Tq: Aland.
3. Smt. Vimalabai W/o. Ganapati Parit,
Aged: 45 years, Occ: Household,
R/o. Sarasamba Village, Tq: Aland.
4. Laxman S/o. Naganna Parit,
Aged: 60 years, Occ: Agriculture,
R/o. Achaleri Village, Tq: Aland.
5. Prashanth S/o. Devindra Madiwal,
Aged: 24 years, Occ: Private Work,
R/o. Gola[B] Village, Tq: Aland.

As follows;

Firstly, that on 30.12.2019 at 4:00 p.m. on the border of Allapur(S) in land Sy.No.12/4, at Sarasamba Village, within the limits of Madan Hipparga Police Station, you accused No.1 to 5

picked up quarrel with previous enmity of CW1, have formed an unlawful assembly and in prosecution of common object of the said assembly, namely, to commit rioting, to cause hurt, to intentionally insult and to criminally intimidated and thereby you have committed an offence punishable U/Sec.143 R/w Sec.149 of Indian Penal Code, within the cognizance of this court.

Secondly, that on the above said date, time and place, in furtherance of above offence, you accused Nos.1 to 5 being members of an unlawful assembly, in prosecution of common object of the said assembly committed an act of rioting with intent to commit certain offence and thereby you have committed an offence punishable U/Sec.147 R/w Sec.149 of Indian Penal Code, within the cognizance of this court.

Thirdly, that on above said date, time and place, in furtherance of above offence and you accused No.1 to 5 being members of an unlawful assembly and in prosecution of common object, you the accused No.1 wrongfully restrained CW1 from proceeding in any direction and thereby you have committed an offence punishable U/Sec.341 R/w Sec.149 of Indian Penal Code, within the cognizance of this court.

Fourthly, that on the above said date, time and place, you accused No.1 to 5 were members of an unlawful assembly, in prosecution of common object, you the accused No.1 intentionally insulted CW1 by abusing him in filthy language stating that "ಏ ರಂಡಿ

ಮಗನೆ ಸೂರ್ಯ ಸುಳಿ ಮಗನೆ ನನ್ನ ಹೊಲದಾಗ ಬೋರವೇಲ್ ಹಾಕಿ ನೀರು ತೆಗೋತಿ ಮಗನೆ" and you,

the accused No.3 to 5 abused him in filthy language stating that “ಸರಿಯಾಗಿ ಸಿಕ್ಕಾನ ಮಗಾ” and thus insulted CW1 intending or knowing it to be likely that such provocation will cause him to break the public peace or to commit any other offence and thereby you have committed an offence punishable U/Sec.504 R/w Sec.149 of Indian Penal Code, within the cognizance of this Court.

Fifthly, that on the above said date, time and place, you accused No.1 to 5 were members of an unlawful assembly, in prosecution of common object, you, the accused No.2 dragged CW1 by holding his shirt and also assaulted CW1 on his stomach and back with hands and caused internal injury and thereby you have committed an offence punishable U/Sec.323 R/w Sec.149 of Indian Penal Code, within the cognizance of this Court.

Finally, that on the above said date, time and place, you accused No.1 to 5 were members of an unlawful assembly, in prosecution of common object, when CW4 to 6 came to pacify the quarrel, you the accused No.1 to 5 threatened CW1 stating that you will take away his life “ಏ ಸುಳಿ ಮಗನೆ ಇವತ್ತು ಉಳಿದಿದಿ ಮತ್ತೆ ಸೀಗು ನಿನ್ನ ಜೀವ ಸಹಿತ ಬಿಡಲ್ಲ” and thereby you have committed an offence punishable U/Sec.506 R/w Sec.149 of Indian Penal Code, within the cognizance of this Court.

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

(YALLAPPA KALLAPUR)
C/C. ADDL.CIVIL JUDGE & JMFC,
ALAND

PLEA OF ACCUSED

Q.1: Have you heard and understood the accusation now readover and explained in the language known to you?

Ans: A.1:

A.2:

A.3:

A.4:

A.5:

Q.2: Do you plead guilty or claim to be tried?

Ans: A.1:

A.2:

A.3:

A.4:

A.5:

Certified that the above examination of the accused is taken in my presence, hearing and that the record contains a full and true account of the statement made by the accused.

**C/C. ADDL.CIVIL JUDGE & JMFC,
ALAND**