

IN THE SPECIAL COURT FOR ATROCITY OFFENCES & I-ADDL.
SESSIONS JUDGE, RAICHUR DISTRICT, RAICHUR

SPL. CASE (Atrocity) NO.508/2020

State

Vs.

Bussayya & ors.

C H A R G E

I, *Kuduwakkaliger.M.G.*, B.Com., LL.M., Judge for Special Court for Atrocity cases and I.Addl. Sessions Judge, Raichur hereby charge you;

1. Byssayya Swamy S/o Malleshappa, 28 yrs, supervisor,
 2. Virupaxi S/o Yankappa, 36 yrs, agri.,
 3. Hanumappa S/o Yankoba Talawar, 32 yrs, agri.,
 4. Huseni S/o Yankappa @ Yankoba, 35 yrs, agri.,
 5. Kondayya S/o Yankappa @ Yankoba, 28 yrs, agri.,
 6. Mantesh jS/o Yankoba, 28 yrs, agri.,
 7. Rama S/o Timmakka, 28 yrs, agri.,
 8. Rama S/o Hanumappa @ Narasappa, 35 yrs, coolie,
 9. Pandu @ Panduranga S/o Amaresh Sale, 23 yrs, agri.,
 - 10.Veeresh S/o Yankoba, 32 yrs, Occ: agri.,
 - 11.Keshava S/o Timmakka, 30 yrs, agri.,
- All R/o Rabbanakal, Tq. Manvi.

as follows;

That, on 5.9.2020 at 8.30 p.m. in the land of Rajjabali Pinjar, situated within the limits of Madlapur village, you all formed an unlawful assembly with common object to commit an offence and in prosecution of such object, being members of such assembly committed an offence punishable U/Sec.143 r/w Sec.149 of IPC and within cognizance of this court.

Secondly, that on the above date, time and place, you all the accused formed an unlawful assembly with common object to commit offence and in prosecution of such object, committed rioting armed with club and thereby committed offences punishable U/Sec.147 and 148 r/w Sec.149 of IPC and within cognizance of this court.

Thirdly, that on the above date, time and place, you all the accused formed an unlawful assembly with common object to commit offence and in prosecution of such object, you A-1 intentionally insulted CW-1 by abusing in filthy languages as “ಎಲೇ ಬೇಡರ ಸೂಳೇ ಮಗನೇ ನಮ್ಮ ಮಧ್ಯದಲ್ಲಿ ನಿನ್ನದೇನು” and you A-2 intentionally insulted CW-1 by abusing him in filthy languages as “ನೀನೇನು ನಮಗೆ ಹೇಳಲು ಬಂದೀ ಬೇಡರ ಸೂಳೇ ಮಗನೇ” thereby provoked him intending that such provocation would cause him to breach public peace and thereby committed an offence punishable U/Sec.504 r/w Sec.149 of IPC and within cognizance of this court.

Fourthly, that on the above date and time, you all the accused formed an unlawful assembly with common object to commit offence and in prosecution of such object, you A-1 kicked on the testicles of CW-1 and voluntarily caused simple hurt and thereby committed an offence punishable U/Sec.323 r/w Sec.149 of IPC and within cognizance of this court.

Fifthly, that on the above date and time, you all the accused formed an unlawful assembly with common object to commit offence and in prosecution of such object, you A-2 assaulted CW-1 with club on his head and voluntarily caused simple hurt by using club, which was instrument of causing injury and thereby committed an offence punishable U/Sec.324 r/w Sec.149 of IPC and within cognizance of this court.

Sixthly, that on the above date and time, you all the accused formed an unlawful assembly with common object to commit criminal intimidation and in prosecution of such intention, you all committed criminal intimidation by threatening CW-1 stating that “ಇನ್ನೊಂದು ಸಲ ನಮ್ಮ ತಂಟೆಗೆ ಬಂದರೆ ಜೀವ ಸಹಿತ ಬಿಡುವುದಿಲ್ಲ” with intent to cause alarm to his life and thereby committed an offence punishable U/Sec.506 r/w Sec.149 of IPC and within cognizance of this court.

Lastly, on the above date, time and place, you all the accused formed an unlawful assembly with common object to commit offence and in prosecution of such object, you A-1 intentionally humiliated and insulted CW-1 by abusing in filthy languages as “ಎಲೇ ಬೇಡರ ಸೂಳೇ ಮಗನೇ ನಮ್ಮ ಮಧ್ಯದಲ್ಲಿ ನಿನ್ನದೇನು” within the public view and you A-2 intentionally humiliated and insulted CW-1 by abusing him in filthy languages as “ನೀನೇನು ನಮಗೆ ಹೇಳಲು ಬಂದೀ ಬೇಡರ ಸೂಳೇ ಮಗನೇ” within the public view knowing fully well that CW-1 is member of scheduled caste and committed other above noted offences and thereby committed offences punishable U/Sec.3(1)(r)(s) and 3(2)(va) of the SC/ST (PoA) amendment Act, 2015 r/w Sec.149 of IPC and within cognizance of this court.

And I hereby direct that you be tried on the above said charge.

Date:

I-Addl. Sessions Judge, Raichur.

IN THE SPECIAL COURT FOR THE ATROCITY OFFENCES &

1st ADDL. SESSIONS JUDGE, RAICHUR

SPL. CASE (Atrocity) NO.508/2020

State Vs. Bussayya & ors.

Name of accused No. :
Father's/husband's name :
Age: : Yrs,
Occupation : Agri.,
Residence : Rabbanakal

PLEA OF THE ACCUSED

Q. No.1 : Did you hear the charges levelled against you?

Ans :

Q. No.2 : Do you plead guilty or claims to be tried?

Ans :

(Certified that charges are read-over to the accused in the language known to him and thereafter true statements made by him are recorded by me)

Place: Raichur.

Date:

1st Addl. Sessions Judge, Raichur.