

**IN THE COURT OF THE PRL. SESSIONS
JUDGE/ PRESIDING OFFICER, SPECIAL
COURT, UDUPI DISTRICT AT UDUPI**

SPECIAL CASE No.56/2023

The State: by Dy.S.P.,
Udupi Sub-Division,
Udupi. ..COMPLAINANT

Vs.

Kirthan and another ... ACCUSED

CHARGE

I, **Shantaveer Shivappa, B.A., LL.B.**
(Spl.), Principal Sessions Judge/P.O., Special
Court at Udupi hereby charge you,

1. Kirthan,
S/o. Devaraj Mendon,
Aged about years,
R/at. H.No.1-1-1 A,
Shubhalaxmi, Near Tottam Church,
Thenkanidiyoor Village, Udupi.
2. Manoj Saliyan,
S/o. Prabhakar Kunder,
Aged about years,
R/at. H.No.15-71C, Vignaraj,
Near Kanagi Road,
Kodavoor Village, Udupi.

as follows:-

FIRSTLY: That, on 16.06.2023 at about 6:15 p.m. on the interior road leading to beach on the western side of the house named Namma Illal at Thottam, Thenkanidiyooru Village, Udupi Taluk situated you Accused No.1 and 2 along with Children in Conflict with Law namely Shashank Kodavoor, Shashank Kola and Dhruva picked up quarrel with CW.1 on the ground that he refused to give you a cigarette on your demand, and with common object to commit certain offences against CW.1 formed an unlawful assembly and thereby committed the offence punishable U/Sec.143 of Indian Penal Code within the cognizance of this Court.

SECONDLY: That, on the above said date, time and place, you Accused No.1 and 2 along with above named Children in Conflict with Law viz namely Shashank Kodavoor, Shashank Kola and Dhruva, being members of such unlawful assembly formed in prosecution of your common object committed the offence of rioting and thereby committed the offence punishable U/Sec.147 of the Indian Penal Code, and within the cognizance of this Court.

THIRDLY: That, on the above said date, time and place, you Accused No.1 and 2 along with above named Children in Conflict with Law viz namely Shashank Kodavoor, Shashank Kola and Dhruva, being members of such unlawful assembly formed in prosecution of your common

object voluntarily caused hurt to CW.1 by assaulting on his head, face and back with hands and thereby committed the offence punishable U/Sec.323 r/w 149 of Indian Penal Code within the cognizance of this Court.

FOURTHLY: On the above said date at about 7:15 p.m. at Velankani Stores in Sanyasi Mutt at Badanidiyoor Village when CW.1 was hiding himself behind the said Velankani Stores, you Accused No.1 and 2 on KA-20-EN-4957 (belonging to CW.2 Vinutha and abandoned by CW.1) and while above named Children in conflict with Law on KA-20-ES-5051 belonging to CW.15, came to the said spot, dragged CW.1 out of the said shop and forcibly abducted him in vehicle No.KA-20-EN-4957 up to Bank of Baroda at Hampanakatte in Badanidiyoor Village and thereby committed the offence punishable U/Sec.365 r/w. 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 and 2 along with above named Children in conflict with Law namely Shashank Kodavoor, Shashank Kola and Dhruva, being members of such unlawful assembly formed in prosecution of your common object knowing fully well that CW.1 belonged to Adi Dravida Community a Scheduled Caste, intentionally insulted the CW.1 by abusing him in filthy language as “ಬೇವರ್ಸಿ ರಂಡೆ ಮಗ, ನೀನು ದಿಕ್ಕು ಜಾತಿಯವ ನಿನಗೆ ಭಾರಿ ಅಹಂಕಾರ

ಇದೆಯಲ್ಲಾ”, in public view and thereby gave provocation to the CW.1 intending or knowing it to be likely that such provocation would cause said CW.1 to commit any other offences and thereby committed an offence punishable U/Sec.504 R/w. Sec.149 of Indian Penal Code and U/Sec.3(1)(s) of Scheduled Caste/Scheduled Tribe (Prevention of Atrocity) Act, 1989 and within the cognizance of this Court.

LASTLY:- That on the above said date, time and place you Accused No.1 and 2 along with Children in Conflict with law viz namely Shashank Kodavoor, Shashank Kola and Dhruva intentionally insulted or intimidated CW.1 with intent to humiliate the member of a Scheduled Caste in public view and thereby, committed an offence punishable U/Sec.3(1)(r), 3(2)(v-a) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocity) Act, 1989 within the cognizance of this Court.

And I hereby direct that you be tried before me on the said charges.

Dated this the 22nd day of February 2024

(Shantaveer Shivappa)
PRINCIPAL SESSIONS JUDGE
/ P.O., SPECIAL COURT,
UDUPI.

SPL. CASE No.56/2023

PLEA

Prl. Sessions Judge / P.O., Special Court,
Udupi.

**IN THE COURT OF THE PRL. SESSIONS
JUDGE/ PRESIDING OFFICER, SPECIAL
COURT, UDUPI DISTRICT AT UDUPI**

SPL. CASE No.56/2023

Name of the Accused No.2 ... Manoj Saliyan,
Father's name ... Prabhakar Kunder,
Age ...
Occupation
Residence H.No.15-71C, Vignaraj,
Near Kanagi Road,
Kodavoor Village, Udupi.

PLEA

Q.1: Are you furnished with the copy of charge-sheet?

Ans:

Q.2: Have you heard and understood the charge read over to you?

Ans:

Q.3: Do you plead guilty or claims to be tried?

Ans:

(In the open court above charge is read over and explained to the accused in Kannada/English/Hindi language known to him/her and answer given by her /him are recorded)

Dated this the day of , 2024

Prl. Sessions Judge / P.O., Special
Court,q

Udupi.