

IN THE COURT OF THE FAST TRACK SPECIAL JUDGE, ERATTUPETTA**Present:- Smt. ROSHUN THOMAS, SPECIAL JUDGE****Monday, the 23rd of March, 2026/ 2nd Chaithram, 1947****SESSIONS CASE No. 1003/2024****(Cr.No.525/2024 of Kidangur Police Station)**

Complainant	:	State represented by the Inspector SHO, Kidangur Police Station Rep. by Adv.Sri.Jose Mathew Thayyil, Special Public Prosecutor, FTSC, Erattupetta.
Accused	:	Akash.B., aged 25/24, S/o.Binu.K.K., Madakkathara House, Sasthamkulam Ambalam Bhagom, Uzhavoor East P.O., Uzhavoor Village (now residing at Vallomkuzhi Puthenpura House, Near Mangattu Ganapathi Temple, Peruva kara, Mulakkulam Village. (Rep.by Adv. Nibu John & Lijo Kurian Jose)
Charge	:	u/s. 366, 375(a) r/w. 376 (2)(n) IPC, 5(l) r/w. 6, 5 (j) (ii) r/w. 6, 11(iv) r/w. 12 Pocso Act and Sec. 3(2) (va) of SC/ST Act
Plea	:	Not guilty
Finding	:	Not guilty

Sentence/Order	:	The accused is found not guilty of the alleged offences u/s. 366, 375 (a) r/w. 376(2)(n) IPC, 5(l) r/w. 6, 5(j)(ii) r/w. 6, 11(iv) r/w. 12 Pocso Act and Sec. 3(2) (va) of SC/ST Act and accordingly he is acquitted of the said offences u/s. 258(1) BNSS. His bail bond stands cancelled and he is set at liberty.
No.of days on which the case stood for trial	:	8 days ie on: 23.02.2026, 24.02.2026, 25.02.2026, 26.02.2026, 27.02.2026, 28.02.2026, 02.03.2026, 09.03.2026

This Sessions case having been finally heard on 16.03.2026 and the court on 23.03.2026 delivered the following:-

JUDGMENT

1. The accused stands charged with having committed the offences punishable u/s. 366, 375 (a) r/w. 376(2)(n) Indian Penal Code (hereunder referred to as IPC), 5(l) r/w. Sec. 6, 5(j)(ii) r/w. 6, 11(iv) r/w. 12 Protection of Children from Sexual Offences Act (hereunder referred to as Pocso Act) and Sec. 3(2) (va) of Scheduled

Castes/Scheduled Tribes (Prevention of Atrocities Act, 1989 (hereunder referred to as SC/ST Act).

2. According to the prosecution on 13.06.2024 the accused enticed CW1 a female child aged below 18 years and took her to Elakkad and thereafter on 25.06.2024 to his house at Mulakulam Grama Panchayath. On 25.06.2024 between 12.30 and 02.30 noon, he repeatedly raped CW1 and she became pregnant out of it. He also followed her repeatedly without her consent with sexual intent. He who belongs to a non SC/ST community committed the alleged offences against CW1 knowing that she is a member of Scheduled Caste. Thus the accused committed aforementioned offences.

3. On completing investigation, final report was filed before POCSO Special Court, Kottayam. On appearance of the accused, copies of the documents were given.

4. The Special Public Prosecutor opened this case by describing the charge brought against the accused and stating by what evidence he propose to prove the case of the accused. Considering the records of the case and documents submitted by the prosecution and after hearing the submissions of the learned defence counsel and that of prosecution, it is found that there is ground for presuming that the

accused committed the offences alleged. Hence a charge for offences u/s. 366, 375 (a) r/w. 376 (2)(n) IPC, 5(l) r/w. 6, 5(j)(ii) r/w. 6, 11(iv) r/w. 12 Pocso Act and Sec. 3(2) (va) of SC/ST Act was framed against the accused, which was read over to him to which he pleaded not guilty.

5. Thereafter, the case was transferred to this court as per Order No. STTS 14901/ 25, dated 23.10.2025 of Hon'ble District and Sessions Judge, Kottayam.

6. To prove its case, prosecution examined PWs.1 to 38 and got marked Exhibits P1 to P51. The accused was examined u/s. 351 BNSS. He denied all incriminating evidence against him.

7. Both sides were heard u/s. 255 BNSS. As there is evidence to proceed further, the accused was called upon to adduce defence evidence. No defence evidence was adduced.

8. Both sides were heard.

9. The following points arise for consideration.

1. Whether the accused took PW1 out of the lawful custody of her parents and thereby committed an offence punishable u/s. 366 IPC?

2. Whether the accused repeatedly raped PW1 and thereby committed an offence punishable u/s. 376(2)(n) IPC?
3. Whether the accused repeatedly committed penetrative sexual assault on PW1 aged below 18 years and committed aggravated penetrative sexual assault on her and thereby committed an offence punishable u/s. 5(l) r/w. 6 of POCSO Act?
4. Whether the accused impregnated PW1, a child and committed aggravated penetrative sexual assault on her and thereby committed an offence punishable u/s.5(j) (ii) r/w. 6 of POCSO Act?
5. Whether the accused followed PW1 with the sexual intent and thereby committed an offence punishable u/s. 11(iv) r/w. 12 of POCSO Act?
6. Whether the accused being a non-SC/ST committed the offence u/s. 376(2)(n) IPC against PW1 who is a member of Scheduled Caste and thereby committed an offence punishable u/s. 3(2) (va) of SC/ST Act?
7. What is the punishment, if any, to be awarded to the accused?

Point Nos.1 to 6:-

10. For the sake of convenience, point Nos.1 to 6 are considered together.

11. According to the prosecution, the accused kidnapped PW1 from the lawful custody of her parents and took her to his house and committed rape repeatedly on her. Due to this action of the accused, PW1 became pregnant. The accused does not belong to SC/ST community. He committed the offence of rape against PW1 knowing well aware that she belongs to Scheduled Tribe.

12. To prove its occurrence, prosecution examined PW1, the survivor, PW2, the mother of the survivor, PW3, the father of the survivor, PW4, the attesor to Ext. P4 scene mahazar, PW5, the attesor to Ext. P5, the mahazar prepared for taking into custody the vehicle involved in the case and a copy of the driving licence of PW7, PW6, who gave the car, on rent to the accused and produced the driving licence of PW7 before the police. PW7 who took the vehicle on rent and she also identified Ext. P6, the copy of her licence, PW8, the doctor who examined the survivor and issued Ext. P7 medical certificate, PW9, the doctor who conducted MTP on the survivor and preserved the samples and handed it over to the police. PW10, the doctor who issued Ext.P10 potency certificate of the accused and took his samples, PW11, who is conducting a lab at Marangattupally, PW12, who is the grandmother of the accused, PW13, who had signed Ext. P9, third party kaicheet whereby he received the admission

register and has also submitted Ext. P10, the certified copy of the relevant page of admission register, PW14, who turned hostile to the case of the prosecution, PW15 who issued Ext. P12 series the birth certificate of PW1 and its 63 (4) (c) BSA certificate, PW16, who issued Ext. P13 the caste certificate of the accused, PW17, who issued Ext. P14, the caste certificate of PW1, PW18, who issued the scene plan with regard to the place of occurrence, PW19, who issued the ownership certificate of the place of occurrence, PW20, who took PW1 for medical examination, PW21, the CPO who recorded the preparation of inventory of the photos of the accused, PW22, the attesor to Ext. P18, the inventory prepared for taking into custody the photo printouts of the accused, PW23, the attesor to Ext. P19, inventory prepared for taking into custody the samples of the accused, PW24, who issued the Part A certificate with regard to the video recording of the seizure of the dresses of PW1, PW25, the attesor to Ext. P21, the seizure mahazar prepared for taking into custody the mobile phone of the survivor and also the attesor to Ext. P22, the seizure mahazar prepared for taking into custody the mobile phone of the accused, PW26, the attesor to Exts. P21 to 24, the inventory mahazars prepared for taking into custody the samples of PW1 and Ext.P25, the inventory mahazar prepared for taking into custody the DVD and certificates produced by CW29, PW27, the attesor to the

inventory mahazar prepared for taking into custody the DVD, part A and part B certificates, PW28, the attesor to Ext. P27 Mahazar, prepared for taking into custody the particulars of the Instagram account and details of the accused, PW29, who collected the MOs and took it to the FSL, Trivandrum, PW30, who issued Part B certificate with regard to the DVD produced in Cyber cell, Kottayam on 31.07.2024, PW31, who downloaded the Instagram details of the accused, PW32, who worked as the nodal officer of Vodaphone Idea Ltd,. PW33, who worked as the alternate state nodal officer of Reliance Asia Infocom Ltd., PW34, who issued Part B certificate with regard to the DVD produced before the Cyber cell, Kottayam, PW35, who forwarded the details of the Instagram and WhatsApp details of the accused to the DYSP Office, Pala, PW36, who recorded Ext. P1 statement of PW1, PW37, who registered Ext. P31 FIR at Kidangur police station and PW38, who conducted further investigation and submitted charge sheet before the court.

13. In order to attract the alleged offences, the prosecution has to prove that the accused kidnapped PW1 from the lawful custody and committed rape repeatedly on her and that she became pregnant because of the action of the accused and also that the accused do not belong to SC/ST community and that PW1 belonged to SC/ST and that

she is a child and knowing that she belongs to SC the accused committed offence of rape on her.

14. The learned Special Public Prosecutor has argued that the alleged offences are attracted as per the deposition of the witnesses.

15. The learned defense counsel has argued that PW1 has turned hostile to the case of the prosecution. There is nothing to connect the accused with the alleged offences. He argued that the collection of sample from the accused and PW1 is not proved by the prosecution. Therefore, the DNA report which is submitted by the prosecution cannot be relied on. Hence the accused is to be acquitted.

16. On going through the evidence before the court, it can be seen that according to PW1, the survivor, she is residing at Puliyanur Padinjattin karayil along with her father, mother and sister. She is aged 20 years. 01.06.2006 is her date of birth. She studied at Marangattupally St. Thomas HSS School for the first standard and she belongs to Hindu Pulaya community. According to her, she has not given any statement before Kidangur police station. But she identified her signature on the FIS and it is marked as Ext. P1. She had given a statement before Judicial First Class Magistrate Court, Pala.

17. She failed to identify the accused. She stated that there never occurred an incident whereby the accused took her in his vehicle and committed rape on her. She also stated that she had not given any additional statement before the police. The police had never shown her the photograph of the accused. She had also not shown the place of occurrence and the vehicle to the police. She turned hostile to the case of the prosecution and denied the entire incriminating evidence against the accused. She failed to identify the accused before the court.

18. In her cross-examination she stated that she had given statement before the magistrate as per the instructions of the police. She stated that she has seen the accused for the first time at the court and that during the time of occurrence she was aged 18 years. She has also stated the name of the accused as Akshay before the police as well as the court.

19. PW2, is the mother of PW1. According to her, the date of birth of PW1 is 01.06.2006 and she is now aged above 18 years. She is not aware of the alleged incident. She turned hostile to the case of the prosecution and denied the entire incriminating evidence against the accused. She also stated that at the time of incident PW1 was aged above 18 years and in her school certificate as well as in other

documents, her age is shown one year less and her original date of birth is 01.06.2006.

20. PW3 is the father of PW1. He is also not aware of the alleged incident. He turned hostile to the case of the prosecution and denied the entire incriminating evidence against the accused.

21. The learned defence counsel has vehemently argued that the alleged offence against PW1 will stand only if she is a child at the time of occurrence. According to him, as per the deposition of PW1 and PW2, the date of birth of PW1 is 01.06.2006. The date of occurrence is 13.06.2024 and 25.06.2024. So it is quite clear that at the time of incident, PW1 was aged 18 years and above.

22. The learned Special Public Prosecutor has argued that even though PW1 and PW2 have stated that the date of birth of PW1 is 01.06.2006, as per the birth certificate and admission register, it is clear that PW1 was aged below 18 years at the time of incident. Hence her deposition as such cannot be believed. It is clear that she is aged below 18 years at the time of occurrence.

23. In this regard it can be seen that as per the deposition of PW1, the survivor, her date of birth is 01.06.2006. PW2 her mother has also deposed in consonance with her stating that her date of

birth is 01.06.2006. However as per the details in the admission register as well as in the birth certificate, the date of birth of PW1 is 16.07.2007. Therefore, there is a disparity.

24. Of course the date of birth of PW1 is shown as 16.07.2007 as per the official records. But it is to be noted that in the official records the details are usually given by the parents of child PW2, mother herself has deposed before the court that the date of birth of PW1 is 01.06.2006 and mother is the competent person to depose with regard to the date of birth of the child.

25. In David v State of Kerala (2020(4) KHC 717), it was held that “as far as the age of the victim girl, as also her date of birth are concerned, the most competent witness is her mother. When mother has categorically deposed that the victim girl was born on such and such date, the said evidence has not even challenged by accused in cross-examination, it can be held that prosecution has adduced evidence to prove all the foundational facts to establish the guilt of the accused”. Applying this ruling in this case, it is clear that even though the mother has deposed in her cross-examination, that date of birth of PW1 is 01.06.2006 The said matter was not challenged by the learned Special Public Prosecutor and it stands proved. Further, that there is no evidence before the court that is the date of birth of

the survivor as stated in the official record is the correct one. When there was a disparity, prosecution should adduce evidence to clear it. But none of this was done. It is only through the mother, these details were given in the official records. Therefore primary importance is to be given to the deposition of mother. So, it is clear from the deposition of the mother of PW1 that she was aged above 18 years at the time of the commission of offence.

26. In *Raveendran V.S. V. Deputy Sperintendent of Police (2025 KHC 226)*, it was held that “the most competent person to depose about the age of a child is the child’s mother. The evidence of the mother regarding the date of birth of her daughter remains unchallenged”. In this case also the evidence rendered by PW2, the mother of PW1 regarding the date of birth of PW1 remains unchallenged. The learned Special Public Prosecutor has not challenged what she had stated. Therefore relying on her deposition, it is quite clear that PW1 was not a child at the time of occurrence. So it is clear from the deposition of the mother that PW1 was aged above 18 years at the time of the commission of the offence.

27. The learned Special Public Prosecutor has argued that as per the DNA report, the biological father of the child of PW1 is the

accused. So it is clear that PW1 was subjected to penetrative sexual assault by the accused. Hence the accused may be convicted.

28. The learned defence counsel has argued that, of course, as per the DNA report, the accused is the biological father of the child of PW1. But it is to be seen that the collection of the samples was not as per the Kerala Medico Legal Code. The persons who collected the sample have not deposed in tune with the legal procedures. The collection of samples was not in compliance with the directions of the Hon'ble Supreme Court. Further, not only the collection, the custody of the sample till it reached the Forensic Science Laboratory is also not proved by the prosecution. Hence the DNA report as such cannot be relied on to find the accused guilty.

29. On going through the evidence before the court, it can be seen that three witnesses were essentially involved in the collection of the samples of PW1 and the accused, that is PW8, 9 and 10. According to PW10, she had given a potency certificate of the accused and had collected the samples from the accused and sent them to FSL. However she had added on that, the samples were given to the police, but ultimately it will go to the FSL, so she had stated so. And she had agreed that there are certain guidelines in the Kerala Medical Legal Code for the collection and preservation of the samples and that

she was bound to follow them. According to her, she had handed over records to the Investigating Officer, showing that she had collected the samples and preserved the same. But from the prosecution records, no such records are seen. She had not affixed her personal seal. In her deposition, she had also stated that the samples were collected by her staff. And also in Ext. P8, it is also stated that it has been sent to FSL, whereas she has stated that the samples were handed over to the Investigating Officer. This itself raises doubt about the collection of the samples by PW10. PW10 had asserted that the samples were not collected by her, but by her staff. The said staff was not made a witness in this case. This raises doubt about the collection of samples of accused by PW10. It is quite clear that she had not complied with the legal procedures which she is bound to comply as per the Kerala Medico Legal Code.

30. On going through the deposition of PW8, it can be seen that she had collected samples from PW1. She also agrees that she is bound to observe the guidelines and procedures prescribed in Kerala Medico Legal Code for the collection and preservation of samples. However, she has not stated the procedure which was used by her for the collection and preservation of the samples. She also has deposed that she had collected the samples, labelled and sealed and they were

sent to the FSL and the records were sent to the police. This also raises doubt about the samples collected by PW8.

31. As per the deposition of PW9, she had conducted first trimester MTP of PW1 and she had preserved the samples i.e. the product of conception and maternal blood sample and it was handed over to CPO. In her cross-examination, she has stated that she had given a detailed statement with regard to the collection of samples to the police, but she has admitted that she had not stated about the mode of collection of the samples and the mode of preservation of the samples. She also stated that she had handed over records to the Investigating Officer regarding the mode of collection of the samples and the mode of preservation of the samples. But none of these records are before the court. Thus it can be seen that PW8, 9 and 10 have not complied with the procedures formulated as per the Kerala Medical Legal Code.

32. In *Pooranmal V. State of Rajasthan (2026 KHC 6167)*, it was held that “in order to make the DNA report acceptable, reliable and admissible, the prosecution must establish an unbroken chain of custody and demonstrate that the samples remain duly sealed and untampered throughout. For this purpose, linked evidence would have to be established by examining the concerned witnesses. In this case,

it is to be noted that the prosecution has not established proper chain of custody. As per the deposition of PW8, PW9 and PW10, they have sent the samples to the FSL. Even though they have later clarified it that it was handed over to the police. It itself raises doubt about the collection of the samples. And the link evidence is not established by examining the concerned witnesses. As per the report, the samples were received 5 days after the collection of the same from the doctors. So what happened to them for these 5 days were not established by the prosecution. PW29, the person who collected samples deposed that he collected them from the learned Magistrate Court, Ettumanoor, but as per the prosecution records, they were collected from District Court (Pocso Court), Kottayam. This itself shows that there is no proper chain of custody.

33. Further, it has not been established by the prosecution that PW8, 9 and 10 used DNA kit to collect the blood sample of the survivor as well as of the accused. No such DNA kit forms were filed by the concerned doctors. Procedure which was used by PW8 to PW10 to collect the samples were not stated before the court.

34. It is also prescribed in the Kerala Medico Legal Code that whenever a material object or whenever the biological samples in which DNA evidence is anticipated is taken over by the Investigating

Officer, one Nursing Assistant or an attender preferably a male on duty in the institution, at the material time, should be made a witness to the seizure. However, in this case, such a nursing assistant or attendant is not made a witness. This also raises doubt about the collection of the samples.

35. In *Karandeepsharma @Razia@Raju V. State of Uttarakhand (2025 KHC 6320)*, it was held that “in order to make the DNA report acceptable, reliable and admissible, the prosecution would first be required to prove the sanctity and chain of custody of these samples right from the time of their preparation, collection till the time they reach the FSL.. For this purpose, the linked evidence would have to be established by examining the concerned witnesses”. In this case, there is not even an iota of evidence to prove that the samples collected from PW1 and the accused and the products of consumption of PW1 was the very same samples which reached before the FSL for DNA analysis.

36. In *Kattavellai@devakar V. State of Tamilnadu (2025 KHC 6600)*, it was held that, “DNA evidence lacks evidentiary value when chain of custody and procedural safeguards are absent, as improper handling creates risk of tampering or contamination, rendering such evidence unreliable for sustaining conviction. In this case, it is quite

clear that the chain of custody and procedural safeguards were not taken. The sample of the accused was collected by the staff of PW10 and with regard to the collection of samples by the other doctors also, they have not given cogent and reliable evidence. They have not given a report regarding the procedural formalities they have complied. The person who took the samples to FSL stated about a different place against the place mentioned in official records, which is not clarified by the prosecution. All these shows that the procedural safeguards were not taken and therefore there is every risk of tampering or contamination of the samples collected. Therefore the DNA evidence rendered by the prosecution as such cannot be relied on.

37. It is also to be noted that PW1 had stated the name of the accused in her FIS as Akshay. Whereas the name of the accused as per the charge is Akash. Akshay and Akash are not connected by the prosecution by adducing evidence to prove that both are same person. PW1 has also failed to identify the accused before the court. She has no case that the accused committed penetrative sexual assault on her and made her pregnant. Thus there is practically no evidence before the court to establish the guilt of the accused. The prosecution has miserably failed to prove the guilt of the accused beyond reasonable doubt. Point Nos.1 to 6 are found against the prosecution.

Point No.7:

38. In the result, the accused is found not guilty of the alleged offences u/s. 366, 375 (a) r/w. 376(2)(n) IPC, 5(l) r/w. 6, 5(j)(ii) r/w. 6, 11(iv) r/w. 12 Pocso Act and Sec. 3(2) (va) of SC/ST Act and accordingly he is acquitted of the said offences u/s. 258(1) BNSS. His bail bond stands cancelled and he is set at liberty.

(Dictated to Confidential Assistant transcribed and typed by her, corrected and pronounced by me in open court on this the 23rd day of March, 2026).

Sd/-

**ROSHUN THOMAS
SPECIAL JUDGE**

APPENDIX**Exhibits marked for Prosecution:**

P1/PW1	:	First Information Statement dt.21.07.2024 marked on 23.02.2026
P1(a)/PW1	:	Portion of FIS dt.21.07.2024 marked on 23.02.2026
P2/PW2	:	Portion of 161 statement dt.22.07.2024 marked on 23.02.2026

P3/PW3	:	Portion of 161 statement dt.22.07.2024 marked on 23.02.2026
P4/PW4	;	Scene mahazar dt. 30.07.2024 marked on 24.02.2026
P5/PW5	:	Recovery mahazar (driving licese of car) dt.30.07.2024 marked on 24.02.2026
P6/PW6	:	Copy of driving license (Jeslin Jijo Chemmannur) dt. 25.01.2024 marked on 24.02.2026
P7/PW8	:	Medico legal examination of survivor dt. 21.07.2024 marked on 25.02.2026
P8/PW10	:	Potency certificate of accused dt. 23.07.2024 marked on 25.02.2026
P9/PW13	:	Third party kaicheet of school admission register dt. 29.08.2024 marked on 25.02.2026
P10/PW13	:	Copy of admission register dt. Nil marked on 25.02.2026
P11/PW14	:	Portion of 161 statement of CW15 dt.11.09.2024 marked on 26.02.2026
P12/PW15	:	Birth Certificate of survivor dt. 09.08.2024 marked on 26.02.2026
P12(a)/PW15	:	Certificate Sec.63 (4) (Bharathiya Sakshya Adhinyam)Part A dt. 09.08.2024 marked on 26.02.2026
P13/PW16	:	Caste certificate of accused dt. 30.08.2024 marked on 26.02.2026

P14/PW17	:	Community Certificate of survivor dt. 25.07.2024 marked on 26.02.2026
P15/PW18	:	Site plan dt. 14.08.2024 marked on 26.02.2026
P16/PW19	:	Ownership certificate dt. 08.08.2024 marked on 26.02.2026
P17/PW21	:	Certificate Part A of 63 (4)(c) (HASH Value) dt. 31.07.2024 marked on 26.02.2026
P18/PW22	:	Inventory mahazar of photograph dt. 29.07.2024 marked on 26.02.2026
P19/PW23	:	Inventory mahazar dt, 23.07.2024 marked on 27.02.2026
P20 series/PW24	:	DVD (dress) marked on 27.02.2026
P20(a)/PW24	:	Sec. 63 (4)(c) Part A Certificate dt. 05.08.2024 marked on 27.02.2026
P21/PW25	:	Seizure mahazar (phone of survivor) dt. 22.07.2024 marked on 27.02.2026
P22/PW25	:	Seizure mahazar (phone of accused) dt. 23.07.2024 marked on 27.02.2026
P23/PW26	:	Inventory mahazar (blood sample) dt. 22.07.2024 marked on 27.02.2026
P24/PW26	:	Inventory mahazar (MOs) dt. 30.07.2024 marked on 27.02.2026
P25/PW26	:	Inventory mahazar of video records of dress dt.

		05.08.2024 marked on 27.02.2026
P26/PW27	:	Inventory mahzar dt. 05.08.2024 marked on 27.02.2026
P27/PW28	:	Seizure mahazar dt. 04.10.2024 marked on 27.02.2026
P28/PW30	:	Part B certificate dt. 31.07.2024 marked on 28.02.2026
P29/PW33	:	Cell ID letter Geo Reliance dt. 11.10.2024 marked on 28.02.2026
P30/PW34	:	Part B certificate (dress DVD) dt.05.08.2024 marked on 02.03.2026
P31/PW37	:	FIR dt. 21.07.2024 marked on 02.03.2026
P32/PW38	:	Property list (blood sample of survivor) dt. 22.07.2024 marked on 09.03.2026
P33/PW38	:	Arrest memo dt. 23.07.2024 marked on 09.03.2026
P33(a)/PW38	:	Arrest intimation dt. 23.07.2024 marked on 09.03.2026
P33(b)/PW38	:	Custody memo dt. 23.07.2024 marked on 09.03.2026
P33(c)/PW38	:	Inspection memo dt. 23.07.2024 marked on 09.03.2026
P34/PW38	:	Address report of accused dt, 23.07.2024 marked on 09.03.2026

P35/PW38	:	Proceedings of the District Police Chief, Kottayam dt. 24.07.2024 marked on 09.03.2026.
P36/PW38	:	Report dt. 24.07.2024 marked on 09.03.2026
P37/PW38	:	Form 15 (Black and white photos) dt. 31.07.2024 marked on 09.03.2026
P38/PW38	:	Form 15 (driving licence) dt. 31.07.2024 marked on 09.03.2026
P39/PW38	:	Property list (pregnancy) dt. 30.07.2024 marked on 09.03.2026
P40/PW38	:	Address report (correction) dt. 31.07.2024 marked on 09.03.2026
P41/PW38	:	Seizure mahazar (dresses of survivor) dt. 03.08.2024 marked on 09.03.2026
P42/PW38	:	Property list (dress of accused) dt. 05.08.2024 marked on 09.03.2026
P43/PW38	:	Property list of dresses of survivor dt. 05.08.2024 marked on 09.03.2026
P44/PW38	:	Property list (vehicle) (car) dt. 05.08.2024 marked on 09.03.2026
P45/PW38	:	Property list (mobile phone of survivor and accused) dt.21.08.2024 marked on 09.03.2026
P46/PW38	:	Section added report (366 and J.J.Act) dt. 05.10.2024 marked on 09.03.2026

P47/PW38	:	Property list (whatsapp and instagram) dt. 04.10.2024 marked on 09.03.2026
P48/PW38	:	Forwarding note dt. 19.08.2024 marked on.09.03.2026
P49/PW38	:	Receipt issued from State FSL dt. 27.08.2024 marked on 09.03.2026
P50/PW38	:	DNA report dt. 29.03.2025 marked on 09.03.2026
P51/PW38	:	Forwarding note dt. 06.09.2024 marked on 09.03.2026
P52/PW38	:	Correction report dt. 24.01.2025 marked on 09.03.2026

Exhibits for defence:- Nil

Witnesses for prosecution:

Examined on:

PW1	Survivor	23.02.2026
PW2	Tintu Sabu	14.01.2026
PW3	Sabu	23.02.2026
PW4	Liji Abraham	24.02.2026
PW5	Jayachandran K.K.	24.02.2026
PW6	Sudhi Chandran	24.02.2026
PW7	Jastin Jijo Chemmannur	24.02.2026
PW8	Dr.Lakshmi C.P.(V/C)	25.02.2026

PW9	Dr.Sabeena	25.02.2026
PW10	Dr.Lisha K.S.	25.02.2026
PW11	Jincy	25.02.2026
PW12	Sarojini Thankappan	25.02.2026
PW13	Sajan Antony	25.02.2026
PW14	Gogul T. Appukuttan	26.02.2026
PW15	Asha Gopal	26.02.2026
PW16	Shiny Sebastian	26.02.2026
PW17	Rengith George	26.02.2026
PW18	Sunil T.R.	26.02.2026
PW19	Sarina Abdul Aziz	26.02.2026
PW20	Tintu Saimon	26.02.2026
PW21	Vinayaraj.C.R.	26.02.2026
PW22	Binoy Jose	26.02.2026
PW23	Ashraf Hameed	27.02.2026
PW24	Joshy Mathew	27.02.2026
PW25	Sarath Krishnan	27.02.2026
PW26	Jomy K.Varghese	27.02.2026
PW27	Jose Kurian	27.02.2026
PW28	Robert Sebastian	27.02.2026
PW29	Abhijith Prakash	27.02.2026
PW30	Anoop K.N.	28.02.2026
PW31	Sureshkumar.R.	28.02.2026
PW32	R.Rajesh	28.02.2026
PW33	Rinson Johnson	28.02.2026
PW34	Kiran Mathew	02.03.2026
PW35	Santhosh O.N.	02.03.2026
PW36	Mariamamma Jacob	02.03.2026

PW37	Kurien Mathew	02.03.2026
PW38	K.Sadan	09.03.2026

Witnesses examined for defence:- Nil

Material Objects: Nil

**Sd/-
SPECIAL JUDGE**

// True Copy //

SPECIAL JUDGE

**TABULAR FORM AS PER RULE 132 OF THE CRIMINAL
RULES OF PRACTICE**

Serial No. of the case	:	S.C.No.1003/2024
Name of the Police Station & Crime No.	:	Kidangur Police Station (Cr.No.525/2024)

DESCRIPTION OF THE ACCUSED

Sl.No	Name	Father's Name	Occupation	Residence	Age
1	Akash.B.	Binu.K.K.		Madakkathara House, Sasthamkulam Ambalam Bhagom, Uzhavoor East P.O., Uzhavoor Village (now residing at Vallomkuzhi Puthenpura House, Near Mangattu Ganapathi Temple, Peruva kara, Mulakkulam Village.	25/24

DATES OF:

Occurrence	:	13.06.2024
Complaint	:	21.07.2024
Apprehension	:	23.07.2024
Release on bail	:	17.12.2024
Committal	:
Commencement of Trial	:	23.02.2026

Close of Trial	:	09.03.2026
Hearing	:	16.03.2026
Judgment	:	23.03.2026
Reason for delay		No delay
Remarks		Nil

"

Sd/-
ROSHUN THOMAS
SPECIAL JUDGE

// True Copy //

SPECIAL JUDGE

Copy of Judgment in

S.C.No.1003/2024

Dated : 23.03.2026