

IN THE COURT OF THE ADDITIONAL JUDICIAL MAGISTRATE OF FIRST CLASS AT GIDDALUR

Present : **Smt. Y. Saritha,**
Addl. Judicial Magistrate of First Class, Giddalur.

Wednesday, this the Fourth (04th) day of October, 2021.

P.R.C. 06 of 2021

Between:

State Represented by the Inspector of Police,
Giddalur.

....Complainant.

And

1. Kappeta Mahalakshamma @ Lakshmi Devi,
W/o. Ramireddy, Aged about 33 years,
Caste by Reddy, R/o. K.S.Palli Village,
Giddalur Mandal, Prakasam District.

2. Panyam Venkata Subba Reddy @ Chinna Subbareddy,
S/o. Late Koti Reddy, aged about 74 years,
Caste by Reddy, R/o. K.S.Palli Village,
Giddalur Mandal, Prakasam District.

.... Accused/A1 & A2.

DECEASED:

Panyam Pedda Subba Reddy, S/o. Koti Reddy,
Aged about 84 years, Caste by Reddy,
K.S.Palli Village, Giddalur Mandal,
Prakasam District.

This case is coming on 04-10-2021 for final hearing before me in the presence of the **Asst. Public Prosecutor** for the State and of **Sri. P.N.Sesha Sayana Reddy**, Advocate for the A1 and A2 and the matter having been stood over for consideration till this day, this court made the following:

//COMMITAL ORDER//

1. The Sub-Inspector of Police, Giddalur has filed the charge-sheet in Cr.No.243/2020 against the A1 and A2 for the offences punishable under sections 302, 201, 506 r/w 34 of Indian Penal Code against the A1 and A2.

2. **The brief facts of the case in nutshell** the Deceased and A2 are own brothers. Deceased is the husband of LW.4/Panyam Salamma. The deceased having illegally intimacy with the wife of his brother i.e., A2 neglected his family. During the year 2016 the son of the deceased that

LW.3 filed a Suit in the Hon'ble Senior Civil Judge's Court, Markapur for property. While so, A2 the brother of deceased and A1 thought that if the deceased is alive he might give his property to LW.3. Then A1 and A2 hatched a plan to do away the life of deceased. On 17-06-2020 at about 3:30 PM., A1 and A2 picked up quarrel with the deceased (which was heard by LW6 and LW.7) and strangulated the deceased with a thread and killed him. In order to screen the offence they made false propaganda as the deceased died naturally and also arranged for the funeral. LW.3 came to know that his father/deceased did not come to the center as usual. At that time the LW.6/Mudugula Nagireddy and LW.7/Shaik Dasthagiri, who met him at the bus-stand told him about the quarrel that took place at the house of the deceased. At about 8:30 PM., LW.3 on suspicion went to the house of the deceased along with LW.8 and found the deceased was dead. LW.9/Panyam Rajeswari the daughter in law of A2 noticed the A1 and A2 while they were killing the deceased by strangulating with a whip.

. Basing on the report of LW.1, On 17-06-2020 LW.19 registered a case in Crime NO. 243/2020 for the offence punishable U/Sec.302 of IPC of Giddaur Police Station. During the course of investigation LW.20 visited the scene of offence, examined the witnesses and prepared rough sketch and photographed the scene of offence and seized the material objects and held Inquest over the dead body of the deceased. Basing on the statements of LWs. 3 to LW.9, LW20 altered the Section of Law from Section 302 of IPC to Section 302, 201, 506 r/w 34 of IPC. Later he arrested the accused and produced before this Hon'ble Court for Judicial remand. After receiving Postmortem report and after completion of investigation. LW.20 filed chargesheet against the A1 and A2.

3. This court took cognizance of the offence punishable under sections 302, 201 and 506 r/w 34 of Indian Penal Code against A1 and A2.

4. On appearance of the accused persons before this court copies of documents were furnished to them as required under section 207 Cr.P.C.

5. Heard both sides.

6. Since the offence punishable under section 302, 201, 506 r/w 34 of Indian Penal Code alleged against A1 and A2 are exclusively triable by the

Court of Sessions, the case is committed to the Hon'ble Court of Sessions, Ongole under Section 209 (a) Cr.P.C.

7. The A1 and A2 are on bail and they shall continue to be on bail, during and till conclusion of trial. The A1 and A2 are directed to appear before the Hon'ble Sessions Court, Ongole as and when receives the summons from the Hon'ble Court under Section 209 (b) Cr.P.C.

8. Transmit the entire case records and property, if any, to the Court of Sessions forthwith under Section 209(c) of Cr.P.C.

9. Notify the Public Prosecutor about the commitment of this case to the Court of Sessions under Sec. 209 (d) of Cr.P.C.

10. The A1 and A2 on enquiry submitted that they have got sufficient means to engage counsel before the Court of Sessions during trial.

Typed to the Personal Assistant transcribed by him, corrected and pronounced me in open court, this the 04th day of October, 2021.

**Sd/-Smt. Y.Saritha,
ADDL. JUDL. MAGISTRATE OF FIRST CLASS,
GIDDALUR.**

Copy submitted to :

The Hon'ble I-Addl. District & Sessions Judge,
Prakasam District, Ongole.

// True Copy //

**ADDL. JUDL. MAGISTRATE OF FIRST CLASS,
GIDDALUR.**

**Preliminary Register Extract in P.R.C. 06 of 2021 on the file of the
Addl. Judl. Magistrate of First Class, Court, Giddalur.**

01. Number of the Case	:	P.R.C. 06 of 2021
02. Name and Address of the Accused	:	1. Kappeta Mahalakshamma @ Lakshmi Devi, S/o. Ramireddy, Aged about 33 years, Caste by Reddy, R/o. K.S.Palli Village, Giddalur Mandal, Prakasam District. 2. Panyam Venkata Subba Reddy@ Chinna Subbareddy, S/o. Late Koti Reddy, aged about 74 years, Caste by Reddy, R/o. K.S.Palli Village, Giddalur Mandal, Prakasam District. Accused/A1 & A2. <u>DECEASED:</u> Panyam Pedda Subba Reddy, S/o. Koti Reddy, Aged about 84 years, Caste by Reddy, K.S.Palli Village, Giddalur Mandal, Prakasam District. .
03. <u>Substance of the case:</u>		The Deceased and A2 are own brothers. Deceased is the husband of LW.4/Panyam Salamma. The deceased having illegally intimacy with the wife of his brother i.e., A2 neglected his family. During the year 2016 the son of the deceased that LW.3 filed a Suit in the Hon'ble Senior Civil Judge's Court, Markapur for property. While so, A2 the brother of deceased and A1 thought that if the deceased is alive he might give his property to LW.3. Then A1 and A2 hatched a plan to do away the life of deceased. On 17-06-2020 at about 3:30 PM., A1 and A2 picked up quarrel with the deceased (which was heard by LW6 and LW.7) and strangled the deceased with a thread and killed him. In order to screen the offence they made false propaganda as the deceased died naturally and also arranged for the funeral. LW.3 came to know that his father/ deceased did not come to the center as usual. At that time the LW.6/Mudugula Nagireddy and LW.7/Shaik Dasthagiri, who met him at the bus-stand told him about the quarrel that took place at the house of the deceased. At about 8:30 PM., LW.3 on suspicion went to the house of the deceased along with LW.8 and found the deceased was dead. LW.9/Panyam Rajeswari the daughter in law of A2 noticed the A1 and A2 while they were killing the deceased by strangulating with a whip.

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04. Name of the Complainant : State Represented by the Inspector of Police, Giddalur.

05. Names of Witnesses for Prosecution: 1. Pasupula Chinna Obaiah, 2. Motadi Srinivasulu, 3. Panyam Prabhakar Reddy, 4. Panyam Salamma, 5. Panyam Soma Kekhar Reddy, 6. Mudugulla Nagi Reddy, 7. Shaik Dasthagiri, 8. Shaik Hussain Vali, 9. Panyam Rajeswari, 10. Yandala Pedda Rangaiah, 11. Puli Rama Krishna Reddy, 12. Shaik Ali, 13. Dr. P. Sireesha Priyadarashini, Civil Assistant Surgeon, CHC, Giddalur, 14. Dr. M. Subba Rao, M.D. Assistant Professor, Department of Forensic Medicine, Government Medical College, Ongole. 15. Dr. J. Rajendra Prasad, Professor & H.O.D. Department of Pathology, Government Medical College, Ongole, 16. S. Sree Kumar, Scientific Officer, RFSL, Guntur, 17. Sri B. Rajesh, Hon'ble Prl. Junior Civil Judge, Giddalur, 18. M. Nageswaraiah, PC 2501 of Giddalur P.S., 19. Z.L. Rangaiah, ASI 1680 of Giddalur P.S., 20. U. Sudhakar Rao, Inspector of Police, Giddalur.

06. Result of Enquiry : This case is committed to the Court of Sessions, Ongole to try the case under sections 302, 201, 506 r/w 34 of I.P.C. against A1 and A2.

07. Date of Offence : 17-06-2020

08. Date of appearance of the accused: 04-10-2021

09. Date of close of enquiry : 04-10-2021

10. Explanations for Delay : The A1 and A2 are on bail.

**Sd/-Smt. Y. Saritha,
ADDL. JUDL. MAGISTRATE OF FIRST CLASS,
GIDDALUR.**

Copy submitted to :

The Hon'ble I-Addl. District & Sessions Judge,
Prakasam District, Ongole.

// True Copy //

**ADDL. JUDL. MAGISTRATE OF FIRST CLASS,
GIDDALUR.**