

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2025

PRESENT

THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

CRIMINAL APPEAL No.487/2019

C/W

CRIMINAL APPEAL No.821/2019

CRIMINAL APPEAL No.1050/2019

CRIMINAL APPEAL No.1272/2019

IN CRL.A. No.487/2019

BETWEEN:

1 . THEERTHA,
S/O LATE C. K. MARILINGAIAH,
AGED ABOUT 38 YEARS,
R/O RAMAMANDIRA BEEDI,
CHIKKAMALURU,
CHANNAPATNA TOWN,
RAMANAGARA DISTRICT-571501.

...APPELLANT

(BY SRI A.N. RADHAKRISHNA, ADVOCATE FOR
SRI N.NAGARAJA, ADVOCATE)

AND:

1 . STATE OF KARNATAKA
BY CHANNAPATNA RURAL POLICE.
REPRESENTED BY SPP.
HIGH COURT BUILDING.
BANGALORE-560001.

...RESPONDENT

(BY SRI VIJAYKUMAR MAJAGE, SPP II)

IN CRL.A. No.821/2019

BETWEEN:

- 1 . MARISWAMY,
S/O MARISHETTY,
AGED ABOUT 42 YEARS,
R/AT DODDAMALURU VILLAGE,
CHANNAPATNA TALUK,
RAMANAGARA DISTRICT.

...APPELLANT

(BY SRI A.N. RADHAKRISHNA, ADVOCATE)

AND:

- 1 . STATE OF KARNATAKA,
BY CHANNAPATNA RURAL POLICE STATION,
RAMANAGARA DISTRICT,
REPRESENTED BY SPP,
HIGH COURT COMPLEX,
BANGALORE-560 001.

...RESPONDENT

(BY SRI VIJAYKUMAR MAJAGE, SPP-II)

IN CRL.A. No.1050/2019

BETWEEN:

- 1 . RAMU
S/O LATE CHALLEGOWDA,
AGED ABOUT 66 YEARS,
R/AT DODDAMALURU VILLAGE,
CHENNAPATNA TALUK,
RAMANAGARA DISTRICT-562160

...APPELLANT

(BY SRI A.N. RADHAKRISHNA, ADVOCATE)

AND:

- 1 . STATE OF KARNATAKA
CHENNAPATTANA RURAL POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE-560001.

...RESPONDENT

(BY SRI VIJAYKUMAR MAJAGE, SPP-II)

IN CRL.A. No.1272/2019

BETWEEN:

- 1 . KUMARA. C. T.
S/O LATE THIMMAIAH,
AGED ABOUT 46 YEARS,
R/AT RAMA MANDIRA STREET,
CHIKKAMAGALURU VILLAGE,
CHANNAPATNA TOWN,
RAMANAGARA-562160.

...APPELLANT

(BY SRI A.N. RADHAKRISHNA, ADVOCATE)

AND:

- 1 . STATE OF KARNATAKA,
CHENNAPATTANA RURAL POLICE STATION,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE 560001.

...RESPONDENT

(BY SRI VIJAYKUMAR MAJAGE, SPP-II)

THESE CRIMINAL APPEALS ARE FILED UNDER SECTION 374(2) OF CR.P.C BY THE ADVOCATE FOR THE APPELLANT PRAYING TO SET ASIDE THE JUDGMENT OF CONVICTION AND ORDER OF SENTENCE DATED 05.06.2018, PASSED BY THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAMANAGARA IN S.C.No.64/2016 - CONVICTING THE APPELLANTS/ACCUSED FOR THE OFFENCE P/U/S 302 R/W 34 OF IPC.

<i>DATE ON WHICH THE APPEALS WERE RESERVED FOR JUDGMENT</i>	13.02.2025
<i>DATE ON WHICH THE JUDGMENT WAS PRONOUNCED</i>	25.04.2025

THESE CRIMINAL APPEALS HAVING BEEN HEARD AND RESERVED FOR JUDGMENT, COMING ON FOR PRONOUNCEMENT THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR
and
HON'BLE MR. JUSTICE K. V. ARAVIND

C.A.V. JUDGMENT

(PER: HON'BLE MR. JUSTICE K. V. ARAVIND)

These appeals arise out of the judgment of conviction and order on sentence dated 05.06.2018 passed in S.C. No. 64/2016 by the III Additional District and Sessions Judge, Ramanagara. Under the common judgment, all the accused have been convicted for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC' for short), and have been sentenced to life imprisonment with a fine of Rs.50,000/- each, and in default of payment of fine, to undergo further imprisonment for a period of one year. Common arguments were addressed by the learned

counsel for the parties and a common paper book was referred to. Hence, all the appeals are heard together and are being disposed of by this common order.

2. Criminal Appeal No. 487/2019 is filed by Accused No. 3, Criminal Appeal No. 821/2019 is filed by Accused No. 4, Criminal Appeal No. 1050/2019 is filed by Accused No. 2, and Criminal Appeal No. 1272/2019 is filed by Accused No. 1.

3. The case of the prosecution is that Accused No.1 is the son of the paternal uncle of Venkatesh, the husband of CW.13/PW.8, Smt. Chikkolamma. She had no male issues. PW.1 is the only daughter of PW.8. PW.8 had permitted PW.1 and her husband to reside in her house. The husband of PW.1, by name Ravi, was managing the property affairs of PW.8. Accused No.1 is stated to have borne a grudge against his sister-in-law, PW.8, for entrusting the management of her property to the deceased Ravi, instead of giving the same to him. It is alleged that he used to quarrel frequently with PW.8 and the deceased Ravi. On 15.02.2016 at about 7:30 p.m.,

while Ravi was sitting in the veranda of the house of PW.8 situated at Doddamaluru, Accused Nos.1 to 3 were near the pump house. At that time, Accused No.1 is said to have picked up a quarrel with Ravi and abused him alleging that he had come from another village for the sake of property of PW.8. The deceased Ravi resisted the said abuse. Thereafter, Accused Nos.1 and 3 allegedly assaulted Ravi with bamboo clubs, causing him to fall to the ground. While Accused No.1 held Ravi, Accused Nos.2 and 3 are said to have assaulted him with bamboo clubs, resulting in fatal injuries. Ravi succumbed to the said injuries on the spot.

4. The police registered the complaint as per Ex.P1 at the instance of PW.1. Upon registration of the FIR, investigation was taken up. All the accused were apprehended, interrogated, and property was recovered at their instance. Upon completion of the investigation, charge sheet was filed against all the accused for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

5. The Trial Court, based on the evidence of PWs.1 to 4, 8, 11, and 15, recorded a finding that the death of the deceased Ravi was the result of culpable homicide amounting to murder. Further, relying upon the oral testimonies of the witnesses as well as the medical and forensic evidence on record, the Trial Court convicted Accused Nos.1 to 4 for the offence punishable under Section 302 of the Indian Penal Code.

6. Sri A. N. Radhakrishna, learned counsel, along with Sri N. Nagaraja, learned counsel appearing for the appellants, submitted that the Trial Court recorded the conviction primarily based on the evidence of PW.4 the father of the deceased. It is contended that the testimony of PW.4 is based on the information provided by PW.1 the wife of the deceased. Although PW.1 was examined by the prosecution as an eyewitness, she turned hostile. PW.2 the son of the deceased was examined as a child witness, but he did not support the case of the prosecution. The prosecution, therefore, treated him a hostile witness and subjected him to cross-examination. It is further

submitted that the case of the prosecution hinges upon the recovery of MOs.4 to 6, said to have been effected under Ex.P7. PWs.5 and 6, the panch witnesses to Ex.P7, are stated to be interested witnesses and particularly, PW.5 is said to have affixed his signatures as a panch witnesses at the instance of PW.4. Hence, their evidence is not reliable.

7. It is submitted that the evidence of PWs.10 and 15 is fraught with inconsistencies, casting doubt on the correctness of the FIR with respect to its source of information, the time of its registration, and the manner in which it came to be registered.

8. The learned counsel further submits that another circumstance sought to be established by the prosecution is the presence of bloodstains and the recovery of material objects. However, the blood group of the accused has not been identified. The owner of the premises from where the seizure was effected has not been examined. Moreover, the recovery witnesses, being interested in PW.4, cast a doubt on the credibility of the recovery. It is also

contended that due to inconsistencies in the testimony of PWs.1 and 18, the complaint marked as Ex.P1 suffers from infirmities and contradictions.

9. Sri Vijaykumar Majage, learned SPP-II appearing for the State, submits that the complaint marked as Ex.P1 was registered at the instance of PW.1. Though PW.1 has not supported the case of the prosecution during trial, her signature on Ex.P1 establishes that the complaint was received by PW.15 from PW.1 at the spot, and the FIR was registered immediately without any delay. PW.18, who scribed the complaint Ex.P1, has admitted his signature thereon. It is further submitted that PW.1 provided information as reflected in Columns 3 and 4 of the inquest mahazar marked as Ex.P6. The bamboo clubs used to cause fatal injuries to the deceased were recovered at the instance of the accused. PW.9, the Doctor who conducted the post-mortem examination on the deceased, has opined that the injuries sustained by the deceased are possible to be caused by MOs.4 to 6. One of the wooden clubs was found to contain human blood of group 'B'. This, it is

submitted, establishes the recovery, which in turn supports the case of the prosecution and proves the guilt of the accused.

10. Heard learned advocate for the parties and perused the record.

11. The case of the prosecution rests upon the evidence of PWs.1, 2, 4, 9, 10, 12, 15, and 18. These witnesses are the principal witnesses relied upon by the Trial Court while recording the conviction. Hence, their evidence is required to be analysed in detail.

12. PW.1 is the wife of the deceased and the complainant as per Exs.P1 and P4. In the complaint marked as Exs.P1 and P4, she had stated that Accused Nos.1 to 4 caused fatal injuries to her husband Ravi with bamboo clubs (MOs.4 to 6), which resulted in his death. However, in her examination-in-chief, she deposed that on 15.02.2016, while she was taking bath, she heard her husband screaming, and by the time she reached him after changing her clothes, he was already found dead. She

further stated that due to the shock of the incident, she became unconscious, and someone else lodged the complaint, following which the police arrived at the scene. Though she admitted her signature on Ex.P1, she pleaded ignorance regarding its contents. The prosecution, therefore, treated her as hostile and subjected her to cross-examination. In the course of cross-examination, she denied the suggestion that Accused Nos.1 to 4 assaulted her husband with bamboo clubs and caused his death. The cross-examination did not elicit any material evidence to support the case of the prosecution.

13. PW.2 is the son of the deceased Ravi and PW.1, and was examined as a child witness. According to his testimony, he was not present at home at the time of the incident. As he did not support the case of the prosecution, he was treated hostile and subjected to cross-examination. In the course of cross-examination, he denied the suggestion put forth by the prosecution that Accused Nos.1 to 4 assaulted his father with bamboo clubs and caused his death.

14. PW.4 is the father of the deceased Ravi. In his testimony, he has named the accused and stated that, upon receiving information from PW.1, he proceeded to the scene of the incident along with approximately 200 villagers and found the deceased lying in a pool of blood with multiple injuries. He has also admitted that the deceased Ravi was a rowdy-sheeter and that several criminal cases were pending against his son.

15. PWs.5, 6, and 7 are panch witnesses to Exs.P7 and P8, pertaining to the recovery of MOs.4, 5, and 6 bamboo clubs allegedly used in the commission of the offence.

16. PW.9 is the Doctor who conducted the post-mortem examination on the body of the deceased. The post-mortem report has been issued as per Ex.P11. As per Ex.P11, the cause of death is stated to be the head injuries sustained by the deceased.

17. PW.11, the Investigating Officer deposed with regard to the registration of the complaint, apprehension of the accused, recovery of MOs.4, 5, and 6, sending the dead

body for post-mortem examination, and forwarding the incriminating material for forensic analysis.

18. PW.12 is alleged to be the second wife of the deceased Ravi. She has pleaded ignorance of the relationship between PW.1 and the deceased, and claimed that she is the only wife of the deceased. However, she deposed that PW.1 informed her that Accused Nos.1 to 4 had assaulted the deceased. As she did not fully support the case of the prosecution, she was treated hostile and was subjected to cross-examination. However, no material evidence has been elicited from her testimony to support the case of the prosecution.

19. PW.10 is the Police Head Constable. He has deposed with regard to the registration of the FIR, receipt of the complaint, and forwarding of the same to the Jurisdictional Magistrate.

20. PW.15 is the Police Inspector. He deposed that he received information regarding the death of the deceased Ravi at about 10:00 to 10:30 p.m. on 15.02.2016, and

thereafter proceeded to the scene of the crime along with PC-35 Mallikarjuna, where he found the deceased lying in a pool of blood. He received the complaint from PW.1, which had been scribed by PW.18. The said complaint was sent to the police station through PC-35, and thereafter, he informed his higher officers. He further stated that on 20.02.2016, at about 9:30 a.m., he arrested the accused persons along with PC-172 and PC-35.

21. PW.18 was examined as the scribe of Ex.P1. He admitted that the handwriting and signature on Ex.P1 is his. He deposed that he wrote the complaint Ex.P1 as per the instructions of the police. As he did not support the case of the prosecution, he was treated as a hostile witness and subjected to cross-examination. However, no material evidence in support of the prosecution was elicited during his cross-examination.

22. Ex.P10 the post-mortem report corroborates the testimony of PW.9, the Doctor who conducted the autopsy. As per the evidence of PW.9, and as certified in Ex.P10, the cause of death was due to the head injuries sustained

by the deceased. Hence, there is no dispute with regard to the fact that the cause of death of the deceased was the fatal injuries inflicted upon him.

23. PW.9 has further deposed that the injuries found on the deceased could have been caused by MOs.4 to 6. This corroborates the conclusion that the death of the deceased was homicidal in nature.

24. The Trial Court has elaborately discussed the genuineness and correctness of the complaint marked as Ex.P1. It appears that such detailed discussion was necessitated in view of the inconsistencies in the evidence of PW.1 with reference to Exs.P1, P4, and her testimony before the Court. Though PW.18 admitted that the handwriting and signature on Ex.P1 are his, did not support the case of prosecution by stating that he wrote the complaint as per the instructions of the police. The registration of the FIR as per Ex.P12 is on record, which was registered on 15.02.2016 at 23:15 hours. The FIR records that Accused Nos.1 to 4 inflicted injuries on the deceased with bamboo clubs (MOs.4 to 6), resulting in his

death. The information that the deceased Ravi was found dead and that it was a case of homicidal death is not in dispute. Therefore, it is not necessary for this Court to undertake an elaborate assessment of the evidence of PWs.10 and 15, as their evidence pertains only to the stage of registration of the FIR.

25. PW.1 is the complainant as per Exs.P1 and P4. According to Exs.P1 and P4, it is alleged that Accused Nos.1 to 4 assaulted the deceased with bamboo clubs, resulting in his death. Based on Ex.P1, the FIR was registered. PW.18, who has scribed the complaint, has admitted his handwriting and signature on Ex.P1, but deposed that the contents of Ex.P1 were written as per the instructions of the police. PW.1 has completely denied the contents of Ex.P1. She has also denied the suggestion of prosecution that Ex.P1 reflected her version. It is her statement that while she was taking bath, she heard her husband screaming, and by the time she reached the spot, her husband was already found dead. The evidence of PW.1 is inconsistent and cannot, by itself, form the basis

for recording the guilt of the accused unless corroborated by other credible evidence. The prosecution has attempted to corroborate the version of PW.1 with the evidence of PW.4. However, PW.4 does not have any personal knowledge of the incident; his version is entirely based on the alleged information provided by PW.1. When the narration of the incident by PW.4 is based on the statement of PW.1, and PW.1 herself has denied and contradicted the version implicating Accused Nos.1 to 4 in the assault, the evidence of PW.4 loses much of its evidentiary value and cannot carry significant weight.

26. The other circumstance that may be relevant for examining the guilt of the accused is the evidence of PW.9 the Doctor. PW.9 deposed that the death of the deceased was due to the head injuries sustained. In response to the suggestion made by the prosecution, he stated that there is a possibility that the injuries could have been caused by MOs.4 to 6. However, such a possibility alone cannot be treated as conclusive evidence to establish the guilt of the accused, as the opinion of the Doctor merely indicates a

likelihood and not a certainty. Another circumstance relied upon by the prosecution is the recovery of MOs.4 to 6. The recovery of MO.4 is recorded under Ex.P7, while the recovery of MOs.5 and 6 is recorded under Ex.P8. PWs.5 and 6 are the panch witnesses to Ex.P7, and PW.7 is the panch witness to Ex.P8.

27. MO.4 was recovered at the instance of Accused No.4, as recorded in Ex.P7. The said recovery was made at the land belonging to one Ramesh of Doddamaluru village. MOs.5 and 6 bamboo clubs and the shirts said to be belonging to Accused Nos.1 and 2 were recovered from the land owned by Chandranna of Doddamaluru village, as recorded in Ex.P8. The defence has disputed the recovery proceedings and specifically contended that the panch witnesses, namely PWs.5, 6, and 7, were brought in at the instance of PW.4. It is further contended that PWs.4 to 7 are interested witnesses and, therefore, their testimonies do not inspire confidence. It is also relevant to note that MO.4 was recovered from the property of Ramesh, and MOs.5 and 6, along with the shirts, were recovered from

the property of Chandranna. However, the prosecution has not examined either Ramesh or Chandranna to substantiate the ownership or to corroborate the recoveries made from their respective lands. This omission casts a doubt on the authenticity of the alleged recoveries.

28. PWs.5 & 7 are residents of Kallapura Village, which is situated at a distance of approximately 20 kilometres from the place of incident. PW.6 hails from Siddapura Village, which is about 22 kilometres from the scene of crime. PW.5 is admittedly acquainted with PWs.4 and 7. It is evident from the record that PWs.5, 6, and 7 were not served with any summons prior to their appearance as panch witnesses during the course of investigation. Doddamaluru village, where the incident occurred, is a fairly large settlement comprising approximately 500 to 600 houses. When such a sizable village was available, it remains unexplained as to why the panch witnesses were chosen from the same village as that of PW.4, rather than from among the residents of Doddamaluru. While this may be treated as a mere coincidence, such a

circumstance assumes significance in light of the inconsistencies in the testimonies of PWs.1 and 4. This casts a degree of doubt on the credibility and impartiality of the panch witnesses.

29. In that view of the matter, upon overall assessment of the evidence adduced by the prosecution, it cannot be held that the recovery of MOs.5 and 6 stands proved by cogent and reliable evidence.

30. The last circumstance relied upon by the prosecution is the FSL report marked as Ex.P27. As per the said report, MOs.4 to 6, the clothes of the deceased, and the shirts belonging to accused Nos.1 and 2 were subjected to forensic examination. Among the three wooden clubs (MOs.4 to 6) and three shirts examined, two wooden clubs and one shirt and one pant were found to bear traces of 'B' group human blood. Blood stains were noted on all three wooden clubs and all three shirts. Out of the three shirts, one belonged to the deceased, and the other two were worn by accused Nos.1 and 2. While the blood stains on the clothing of the deceased and the stains on the

wooden clubs and the shirts of accused Nos.1 and 2 are said to match as 'B' group human blood, the presence of such stains, by itself, cannot conclusively establish the guilt of the accused. It is well-settled that, in such circumstances, the accused are expected to offer an explanation regarding the presence of human blood on their clothes. However, in the present case, no such explanation is forthcoming from the accused. Though the Court may draw an adverse inference in such cases, such inference must be supported by other corroborative evidence. In the absence of any such corroboration and in light of the failure of prosecution to prove the recovery of MOs.4 to 6, drawing such an inference would not be safe for recording a conviction. The recovery, being doubtful and unsubstantiated, weakens the evidentiary value of the FSL report at Ex.P27.

31. The prosecution has sought to make out a case that PW.1 the wife of the deceased is the only daughter of Venkatesh and PW.8. Accused No.1 is stated to be the son of the paternal uncle of Venkatesh, i.e., the husband of

PW.8 and father of PW.1. It is the case of the prosecution that, as Venkatesh and PW.8 had no male issues, accused No.1 was initially managing the property affairs of the family. Subsequently, the property was entrusted to deceased-Ravi, the husband of PW.1, who hailed from another village. Based on this, the prosecution alleges that accused No.1 bore grudge against PW.1 and the deceased. However, no evidence has been placed on record by the prosecution to substantiate this alleged motive. There is no material to demonstrate that there existed any prior animosity between the deceased and accused No.1. In the absence of any cogent evidence to establish the motive, it is difficult to accept that accused Nos.1 to 4 instigated, quarreled with, and thereafter assaulted and killed the deceased. Motive assumes significance, particularly when the case rests on circumstantial evidence or when the direct evidence is found unreliable. In the present case, the eyewitness examined by the prosecution is PW.1. However, PW.1 has turned hostile and has not supported the case of the prosecution. In such circumstances, when the alleged motive is not established and the eyewitness

does not support the prosecution, the very foundation of the prosecution case becomes doubtful.

32. Hence, the present case rests entirely on circumstantial evidence. It is a well-settled principle of criminal jurisprudence that, in cases based on circumstantial evidence, the prosecution must establish a complete and unbroken chain of circumstances which unerringly point to the guilt of the accused and exclude every other hypothesis except the one that the accused is guilty. In the instant case, the prosecution has failed to establish such a chain of circumstances. The links in the chain are either missing or not proved. The circumstances relied upon by the prosecution merely create a suspicion against the accused. However, it is equally well-settled that suspicion, however grave, cannot take the place of proof. For a conviction to be sustained, the circumstances must be so conclusive as to point only to the guilt of the accused and to no other conclusion. In the absence of such conclusive proof, the benefit of doubt must

necessarily enure to the accused. Mere suspicion or conjecture is not sufficient to record a conviction.

33. The trial Court, placing reliance on the testimony of PW.4, concluded that the accused caused the death of the deceased by using MOs.4 to 6. However, the entire testimony of PW.4 is based on the information furnished by PW.1, who was stated to be present at the scene of the crime. PW.1 has not supported the case of the prosecution. According to her deposition, she did not witness the incident. The testimony of PW.4 is not corroborated by any other material on record. The trial Court, therefore, committed an error in not appreciating this vital aspect of the matter. Further, when the recovery of MOs.4 to 6 has not been conclusively established by the prosecution, the presence of bloodstains on MOs.4 to 8 and on the clothes of the accused, even if found to contain human blood of 'B' group, cannot, by itself, form the basis for recording a conviction. The reliance placed by the trial Court on this circumstance, in the absence of other corroborative evidence, is thus wholly misplaced.

34. Further, the trial Court recorded that the recovery of MOs.4 to 6 stood proved by accepting the testimony of PWs.5, 6, and 7, the panch witnesses, without appreciating the fact that their presence at the time of mahazar was not pursuant to any summons issued by the prosecution. These witnesses are residents of a village situated 22 kilometres away from the scene of the crime, and their presence, therefore, appears highly improbable for the purpose of acting as panch witnesses. There was no apparent difficulty for the prosecution to secure the presence of residents as panch witnesses from the village where the alleged recovery was effected, which consists of approximately 500 houses. The trial Court also failed to consider another crucial aspect namely, that the owners of the land from which MOs.4 to 6 were allegedly recovered were not examined by the prosecution. In view of the fact that the recovery was seriously disputed by the defence, examination of the said landowners was necessary to establish the credibility of the recovery.

35. From the overall assessment of the evidence on record and the findings recorded by the trial Court, it is evident that the prosecution has failed to establish the guilt of the accused for the offence of murder beyond reasonable doubt. The circumstances relied upon by the prosecution, at best, give rise to suspicion, which by itself is insufficient to sustain a conviction. In that view of the matter, the judgment of the trial Court suffers from serious infirmities and is not legally sustainable. Accordingly, the following order;

Order

- (i) All the appeals are allowed.
- (ii) The judgment of conviction in S.C.No.64/2016, dated 05.06.2018 by the III Additional District and Sessions Judge, Ramanagara, is set aside.
- (iii) Accused Nos.1 to 4 are acquitted of the charged offence.
- (iv) The accused are hereby directed to be released, if they are not required in any other cases.

- v) If the accused have deposited the fine amount before the trial Court, the same shall be refunded on proper identification.
- (vi) Registry is directed to send back the trial court records with a copy of this judgment.

**Sd/-
(SREENIVAS HARISH KUMAR)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**

VBS/MV