

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

CRIMINAL APPEAL NO.416 OF 2011

Between:

Katta Mondaiah

.. Appellant

and

State of Andhra Pradesh, represented by
its Public Prosecutor

.. Respondent

DATE OF JUDGMENT PRONOUNCED: _____.10.2017

SUBMITTED FOR APPROVAL:

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

1. Whether Reporters of Local newspapers may be allowed to see the judgment? Yes/No
2. Whether the copies of judgment may be marked to Law Reporters/Journals Yes/No
3. Whether Their Lordships wish to see the fair copy of the judgment? Yes/No

SANJAY KUMAR, J

T.AMARNATH GOUD, J

*** THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

+ CRIMINAL APPEAL NO.416 OF 2011

% DATED _____ OCTOBER, 2017

Katta Mondaiah

.. Appellant

Vs.

\$ State of Andhra Pradesh, represented by
Its Public Prosecutor

.. Respondent

<Gist:

>Head Note:

! Counsel for the Appellant : Smt. G.Jaya Reddy

^Counsel for the Respondent : Public Prosecutor,
Telangana

? CASES REFERRED:

1. (1997) 1 SCC 510
2. (2015) 11 SCC 178
3. 1952 SCR 1091 : AIR 1952 SC 343 : 1953 Cri LJ 129
4. 1989 Supp (2) Supreme 706 = 1989 Supp (2) SCC 706
5. (2004) 11 SCC 282

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

CRIMINAL APPEAL NO.416 OF 2011

J U D G M E N T

(per Hon'ble Sri Justice Sanjay Kumar)

Boddu Pedda Narsaiah was found dead at about 7.00 AM on 08.04.2010 at the bathing ghat on the road going towards Kammarpally on the outskirts of Hasakothur Village in Nizamabad District. He died due to hemorrhage and shock as a result of injuries caused by smashing his head with boulders. Katta Mondaiah was charged with his murder, punishable under Section 302 IPC, in Sessions Case No.309 of 2010 on the file of the learned II Additional District and Sessions Judge (Fast Track Court), Nizamabad.

Katta Mondaiah pleaded innocence and claimed to be tried. During the trial, the prosecution examined twelve witnesses and marked nine exhibits in evidence. No evidence was let in by the defence. Case properties were shown as M.Os.1 to 8. Upon consideration of the evidence, oral and documentary, the Sessions Court convicted the sole accused of the charge, *vide* judgment dated 28.02.2011, and sentenced him to imprisonment for life in addition to paying a fine of Rs.500/-, in default of which he was to suffer simple imprisonment for one month. Aggrieved thereby, the sole accused is in appeal before this Court under Section 374(2) CrPC.

Boddu Pedda Narsaiah, the deceased, was one among five brothers and a sister. However, he was a vagabond who used to eke out his livelihood by begging in the village. He used to sleep in under-construction houses in the village and also had a drinking habit. P.Ws.1 and 2, the brothers of the deceased, confirmed these facts.

According to the prosecution, the deceased and the accused became close to each other as both of them were homeless and used to take shelter during the nights in under-construction houses in Hasakothur village. They used to consume cheap liquor and toddy together. On the fateful day, the accused and the deceased allegedly met in Maruthi Nagar Colony of Hasakothur Village at about 8.00 PM and consumed liquor in the house of P.W.4 and in such drunken condition, they picked up a quarrel with each other while going to the village to have dinner in a marriage function. On the way, the quarrel escalated and the accused lost control and in a fit of anger, he pushed the deceased to the ground and threw boulders on his head, thereby causing his death.

Upon being informed that the dead body of his brother was found at about 7.00 or 8.00 AM on 08.04.2010 at the bathing ghat, P.W.1 lodged Ex.P1 complaint at 9.00 AM with Kammarpally Police Station. Therein, he stated that he had seen the deceased on the previous night in a marriage function dinner. He stated that he had come to know through the villagers that the body of his brother was found at 7.30 AM at the bathing ghat and that he had been done to death by smashing his head open. Thereupon, the Sub-Inspector of Police, Kammarpally Police Station (P.W.11), registered Crime No.24 of 2010 under Section 302 IPC. Ex.P9 is the FIR.

The Circle Inspector of Police, Bheemgal (P.W.12), commenced investigation in the case. He proceeded to the scene of the offence at Hasakothur Village and examined P.W.1, P.W.2, Kumbam Narsu (L.W.3) and Boddu Chinna Narsaiah (L.W.4), the siblings of the deceased, and recorded their statements. He secured the presence of P.W.8 and Gottipati Satyanarayana Goud (L.W.12) and conducted the

scene of the offence panchanama (Ex.P3) in their presence. He got photographs of the dead body and the scene of the offence taken by P.W.3. He drew up the rough sketch (Ex.P4) of the scene of the offence. He seized blood-stained earth, controlled earth, three boulders with blood stains, one towel which was on the dead body and a pair of slippers, in the presence of the said mediators. He conducted an inquest over the body at that place in the presence of the mediators. Ex.P5 is the inquest panchanama. He then got the body shifted to the Government Hospital, Metpally, for post-mortem examination. After completion thereof, the clothes of the deceased were seized. On 10.04.2010, he visited Hasakothur and recorded the statements of P.Ws.4, 5, Vemula Ramesh (L.W.8), P.Ws.6 and 7. On 14.04.2010, he received information about the presence of the accused at Ashok Dhaba Hotel at Morthad and sent P.W.11 to apprehend him. Upon apprehension, the accused voluntarily confessed to commission of the offence. P.W.2 secured two mediators, Yedula Pedda Rajanna (L.W.13) and P.W.9, and recorded the confession statement of the accused in their presence. Ex.P6 is the confession panchanama. The accused thereupon led P.W.12 and the mediators to Ashok Dhaba Hotel at Morthad, where he brought out a shirt with blood-stained patches, which was worn by him at the time of commission of the offence. The shirt was seized under the cover of a seizure report (Ex.P.7) in the presence of the mediators. The accused was then arrested formally at 7.00 PM and produced before the Court. Upon his transfer, P.W.12 handed over the case diary to his successor, K.Purushotham, Circle Inspector of Police (L.W.18), who completed the investigation and laid a charge sheet.

Both P.Ws.1 and 2, the brothers of the deceased, claimed that they saw him in the village one day earlier to his body being found. P.W.2 said that he saw him during the night time the day before in a marriage function. P.W.1 said the same in Ex.P1 complaint.

P.W.3, a reporter of Andhra Jyothi, took photographs of the dead body and identified the four photographs (Ex.P2) taken by him.

P.W.4, a crucial witness for the prosecution, stated that she used to sell illicit liquor in her house and confirmed that the deceased and the accused used to come to her house to purchase liquor. She said that the day before the body of the deceased was found, he and the accused came to her house during the night time and consumed liquor. She stated that they then went away and were quarreling with each other when they left. Ten minutes thereafter, the accused again came back to her house and purchased four sachets of liquor and went away. In her cross-examination, she stated that the accused and the deceased came to her house at about 7.00 PM on the fateful day and stayed about half-an-hour. They purchased one packet of liquor and consumed it in her house. She stated that she did not see the deceased when the accused came back to purchase four sachets of liquor. She also stated that after the accused purchased liquor sachets from her, she did not see where they went.

P.W.5, another crucial witness, stated that the night before the deceased was found dead, he saw him and at that time, the accused was with him and that they were both quarreling. He stated that he and Vemula Ramesh (L.W.8) then intervened and separated them. Vemula Ramesh (L.W.8) was stated to have gone abroad. In his cross-examination, P.W.5 stated that the time was about 7.30 PM when they separated the accused and the deceased while they were

quarreling. He also confirmed that he was examined by the police five or six days after he saw the dead body.

P.W.6, another crucial witness for the prosecution, stated that he was an auto driver and used to drive his auto to and fro Kammarpally, Chowtpally and Basheerbagh. He said that on the fateful day at about 10.00 PM, he was going from Kammarpally to Chowtpally in his auto and when he reached Maruthi Nagar, he found two persons quarreling. He said that he did not stop his auto, but on the next day morning at 10.00 AM, when he was coming from Chowtpally to Kammarpally, he found a gathering of 200 to 300 people at Maruthi Nagar and found that one of the persons who was quarreling during the night time was lying dead there. He further stated that he could identify the person who did not die out of the two persons quarreling with each other and asserted that the accused was the person who was quarreling with the other person on that night. In his cross-examination, he said that his house was situated near the Bus Stand at Kammarpally and on that night, one bus came from Nizamabad and the passengers alighting there hired his auto to go to Chowtpally. The said bus arrived at Kammarpally at about 9.00 PM every day and therefore, he could tell that the time was 10.00 PM when he saw the persons quarreling. He added that the two persons were quarreling with each other by the side of the road on the left side. He further confirmed that he was never called by the police to identify the accused at any point of time.

P.W.7 was the owner of Ashok Dhaba Hotel, Morthad, at Palem X Roads, where the accused worked. He stated that the Circle Inspector of Police, Kammarpally, came to his Dhaba and collected the clothes of the accused in a bag and went away but could not state

when this happened. He stated that the accused came to the Dhaba at 7.00 AM one day and his clothes were wet and the accused changed his wet clothes. He confirmed that the accused had a drinking habit. In his cross-examination, P.W.7 said that previously also the accused used to come to the Dhaba with wet clothes. He stated that the Circle Inspector of Police, Kammarpally, had come earlier to collecting the clothes of the accused from his Dhaba and had taken away the accused but he was not present at that time.

P.W.8 was a panch witness to the scene of the offence panchanama (Ex.P3) and the rough sketch (Ex.P4). He identified M.Os.1 to 3 as the boulders which they found near the body of the deceased. He identified M.O.4 as the towel which was found on the dead body and M.O.5 as the pair of rubber chapels found near the body. M.Os.6 and 7 were stated to be blood-stained earth and controlled earth lifted from near the body. P.W.8 was also a witness to the inquest proceedings. Ex.P5 is the inquest report.

P.W.9 was a witness to the confession statement of the accused (Ex.P6). This confession was made at Kammarpally Police Station. As per this confession, the deceased and the accused were on the way to the village to have dinner in a marriage function and stopped near the bathing ghat to consume liquor and a quarrel took place between them. The accused thereupon pushed the deceased as he abused him and killed him by throwing boulders on him. According to P.W.9, they took the accused to Morthad Dhaba where he went inside and brought out a blood-stained shirt and same was seized by the Circle Inspector of Police. Ex.P7 is the seizure report.

P.W.10, the Civil Assistant Surgeon, at the Government Hospital, Metpally, conducted the post-mortem examination of the

body of the deceased. He opined that the cause of death was hemorrhage and shock due to head injuries. He confirmed that the injuries found on the deceased may be possible by use of M.Os.1 to 3 boulders. Ex.P8 is the post-mortem report.

P.W.11, the Sub-Inspector of Police, Kammarpally Police Station, spoke of registration of the crime upon receipt of Ex.P1 complaint. In his cross-examination, he confirmed that P.W.1 and his relatives came to the police station on that day and P.W.1 brought the written complaint (Ex.P1), wherein it was mentioned that some unknown persons had killed his brother. He said that P.W.1 did not inform him of any persons suspected of the offence.

P.W.12, the Circle Inspector of Police, Bheemgal, spoke of the steps taken by him during the course of investigation. In his cross-examination he stated thus: Immediately after issuance of the FIR, the CD file was handed over to him by P.W.11 at the scene of the offence. Several villagers were present there, but he could not say the number. P.W.1, P.W.2, Kumbam Narsu (L.W.3) and Boddu Chinna Narsaiah (L.W.4) told him that some unknown persons had killed their brother. Basing on the statement of P.W.4 and the statements of other witnesses, he came to the conclusion that the accused was the culprit. He did not find any packets of liquor or empty packets at the scene of the offence. He visited Ashok Dhaba Hotel at Morthad only once on 14.04.2010. He seized a blood-stained shirt but it contained only signs of blood stains as it was already washed by the accused. He did not take any steps to send the blood-stained shirt to the F.S.L. for comparison with the blood-stained earth seized at the scene of the offence. He did not mention the seizure of boulders in the seizure report. He did not mention the colour of the pair of slippers in the

seizure report or to whom they belonged. He did not conduct any identification parade to identify the accused. He denied the suggestion that he had done only table investigation and that his investigation did not reveal the names of the persons in whose function the accused and the deceased allegedly had meals.

At this stage, it may be noted that the inquest report (Ex.P5) recorded that the deceased was last seen alive on 07.04.2010 by his younger brother, Boddu Chinna Narsaiah (L.W.4), at 7.00 PM in the marriage function of Golla Limbadri's daughter. It was further recorded therein that the deceased had his dinner there and while returning to Maruthi Nagar in the night, some unidentified persons attacked and killed him. P.W.2 also stated that he saw his deceased brother the previous night in a marriage function of Golla and Kapu people but did not mention the time. P.W.1 stated to the same effect in Ex.P1 complaint but did not say so in so many words in his deposition. It may therefore be safely assumed that the deceased did go to the village and attend a marriage function, where he had dinner. Pertinent to note, none of the brothers spoke of the presence of the accused at the marriage function along with the deceased.

Significantly, the evidence of the brothers of the deceased to the effect that they saw him on the night of his death at a marriage function and that he had dinner there, contradicts the prosecution's case that he was done to death by the accused while they were both on the way to the village to have their dinner in a marriage function.

Unfortunately, Ex.P8 post-mortem examination report does not indicate as to whether any food was found in the stomach/intestines of the deceased. The autopsy seems to have been done in a most casual manner as only Column No.11, pertaining to injuries was

filled up by P.W.10 and an indecipherable notation was made against all other entries. The entry relating to the stomach contents also bears the same notation. Part-II of the said report relating to specimens removed for chemical analysis and more particularly, the stomach and small intestine and their contents, was also struck off.

When the case hinged upon whether the deceased was done to death on the way to the marriage function dinner or after he had his dinner there, the contents of his stomach/innards assumed crucial importance but no assistance is forthcoming from Ex.P8 post-mortem report. Surprisingly, in the column relating to the opinion as to cause of death, P.W.10 noted that hemorrhage and shock as a result of head injury was the cause of death but thereafter he stated thus:

‘On 29.07.2010 as per the report human blood is detected on item No.1 to 4, but their blood group could not be determined. Blood is not detected on item No.5, which is received as control for item No.1.’

This entry leads to the inference that some items were sent to a laboratory for examination and the findings furnished by it were taken into consideration by P.W.10 while giving his report. However, this laboratory report has been suppressed for reasons best known to the prosecution. To compound matters further, P.W.12 categorically stated before the Sessions Court that he did not take any steps to send the blood-stained shirt to the Forensic Science Laboratory for comparison with the blood-stained earth seized at the scene of the offence. Significantly, he remained silent as to whether he sent M.O.1 boulders for testing. These aspects clearly demonstrate that there was suppression of material facts by the prosecution.

The version in the confession statement (Ex.P6), which also reads to the effect that the accused killed the deceased while they

were on the way to the marriage function in the village, is equally misleading. In any event, the recovery allegedly made on the basis of the said inadmissible confession is of no avail to the prosecution, as M.O.6 shirt was not even sent to the Forensic Science Laboratory for examination. Surprisingly, none of the case properties were sent for examination. The blood-stained boulders (M.O.1) were produced before the Sessions Court but were not subjected to chemical examination for identification of the blood group and for corroboration thereof with that of the deceased.

To put it bluntly, the manner in which the investigation was done by P.W.12 left a lot to be desired. P.W.12 admitted that he did not take any steps to ascertain the names of the persons in whose function the deceased had gone on the night of his death. Though the inquest report indicated that the said marriage function was that of the daughter of Golla Limbadri, no steps were taken by P.W.12 to include him in the list of witnesses or to examine him or others who attended the said function. The brothers of the deceased confirmed the presence of the deceased at a marriage function. P.W.1 did not indicate as to whose marriage function it was, but P.W.2 stated that it was the marriage function of Golla and Kapu people. Examination of those who attended this marriage function would have clinched the issue as to whether the accused and the deceased were seen together there. In any event, the evidence of the brothers of the deceased that they actually saw him at the marriage function dinner on that night completely demolishes the prosecution's claim that the accused attacked and killed the deceased while they were on the way to a marriage function dinner on that night.

Though the learned Public Prosecutor would seek to press into service the 'last seen alive' theory, as P.W.4 spoke of the accused and deceased drinking illicit liquor at her house on the fateful night and she also stated that they had started quarrelling by the time they left, it may be noted that there is no clarity as to times and as to when exactly the deceased came to meet with his death. It may be noted that the inquest report (Ex.P5) records that Boddu Chinna Narsaiah (L.W.4), the younger brother of the deceased, allegedly saw him at the marriage function dinner at 7.00 PM on 07.04.2010, whereas P.W. 4 claimed that he came to her house with the accused to buy liquor by 7.00 PM and stayed for half an hour. Further, P.W.4 did not even see whether the deceased was still with the accused when the accused came back to her house ten minutes thereafter to buy four sachets of liquor. Similarly, P.W.5, who claimed to have separated the accused and deceased when they were quarrelling, stated that the time then was around 7.30 PM. He did not state the exact location where they were quarrelling. However, in his cross-examination, he said that Maruthi Nagar was at a distance of two kilometers from the bathing ghat, indicating that he might have seen them at Maruthi Nagar.

The chance witness, P.W.6, who claimed that he also saw the accused and deceased quarrelling while driving his auto from Kammarpally to Chowtpally, does not commend credibility. He admitted that the time was then 10.00 PM but did not state as to how he saw the accused and the deceased clearly during the night time when he did not even stop his auto. He admitted that they were quarrelling on the side of the road on the left side. He did not explain whether he saw them in the light of the headlight of his auto, and if so, for how long he was able to see them. Admittedly, he had no

acquaintance with either the accused or the deceased. It is therefore difficult to believe that he would have been able to identify either of them when his auto was passing by and he was himself driving it.

In this regard, it is also relevant to note that no test identification parade, in terms of Rule 34 of the Criminal Rules of Practice & Circular Orders, 1990, was conducted to enable P.W.6 to identify the accused from a line-up. P.W.6 categorically stated that he was never called by the police to identify the accused at any point of time. His recognition of the accused was therefore only in the Court hall. Be it noted that the Supreme Court, in **JASPAL SINGH @ PALI V/s. STATE OF PUNJAB**¹, pointed out that identification for the first time at the trial is evidence of a weak character. Further, when P.W.6 claimed to be an independent witness, it was incumbent upon the police to follow the due procedure, so that his identification of the accused was beyond reproach. However, P.W.12 failed to take steps even in this regard. Significantly, the version of this witness also dilutes the case of the prosecution as he claimed to have seen the deceased and the accused at 10.00 PM on that night. P.W.5 had claimed that he intervened and separated the accused and the deceased at about 7.30 PM. If that be so, the prosecution would have to explain as to where the accused and deceased went from 7.30 PM to 10.00 PM. However, no steps were taken in this regard also, as no evidence was let in about the accused attending a marriage function dinner along with the deceased.

The decisive fact that demonstrates that P.W.6 is a completely untrustworthy witness is his claim that he came back to the scene at 10.00 AM on 08.04.2010 and saw the body of the deceased. The

¹ (1997) 1 SCC 510

inquest proceedings, as per Ex.P5 inquest report, commenced at the scene of the offence at 10.00 AM on that day. Therefore, if P.W.6 came there at that time he would have met P.W.12 and immediately informed him of the information that he possessed. However, it is an admitted fact that P.W.6 did not participate in the inquest proceedings and P.W.12 did not even examine him till 10.04.2010, i.e., two days after the inquest.

P.W.10 stated that the deceased would have died within 24 hours prior to examination of the body. The autopsy was commenced at 1.00 PM on 08.04.2010. Therefore, this time margin is of no avail to the prosecution. In this regard, it may be noted that forensic skills have now advanced to such an extent that it would be easily possible to reduce the margin of time to less than 24 hours when the dead body is examined soon after the death. But, the same lassitude was shown by P.W.10 even in this regard. Given the wide time latitude fixed, it is not possible to pin down the approximate time of death of the deceased. Reference may be made to **KIRITI PAL V/s. STATE OF WEST BENGAL²**, wherein the Supreme Court affirmed that the theory of 'last seen alive' comes into play when the time gap between when the accused and the deceased were last seen together and the deceased being found dead is so small that the possibility of any other person committing the murder becomes impossible. In that view of the matter, given the lack of necessary evidence to establish the requisite proximity between the two events, the question of applying the 'last seen alive' theory to this case does not arise.

Thus, as matters stand, the case of the prosecution rests solely on circumstantial evidence and it is incumbent upon the prosecution

² (2015) 11 SCC 178

to establish a chain of unbroken events unerringly pointing towards the guilt of the accused and none other (See **HANUMANT GOVIND NARGUNDKAR V. STATE OF M.P³** and **PADALA VEERA REDDY V/s. STATE OF A.P⁴**). However, given the glitches and lapses in the investigation, there is absolutely no evidence whatsoever to link the accused with the death of the deceased. P.W.6 was obviously a planted witness and his testimony that he saw the deceased and the accused at 10.00 PM on the fateful night cannot be trusted. Therefore, the only acceptable evidence let in by the prosecution is that the accused and the deceased were together at the house of P.W.4 where they consumed liquor, but thereafter the deceased went to the village and had his dinner in a marriage function where he was seen by his three brothers. None spoke of the presence of the accused along with the deceased at the said dinner. The blood-stained shirt allegedly recovered from the accused, at best, throws suspicion upon him but it is well settled that suspicion, however strong, cannot take the place of proof in a case of this nature (See **DASARI SIVA PRASAD REDDY V/s. PUBLIC PROSECUTOR, HIGH COURT OF A.P⁵**). We therefore have no hesitation in holding that the prosecution utterly failed in proving the guilt of the accused beyond reasonable doubt.

The appeal is accordingly allowed setting aside the judgment dated 28.01.2011 passed by the learned II Additional District and Sessions Judge (Fast Track Court), Nizamabad, in Sessions Case No.309 of 2010. The appellant-accused shall be set at liberty forthwith unless his detention is required in connection with any other case. Fine amount paid by him, if any, shall be refunded.

³ 1952 SCR 1091 : AIR 1952 SC 343 : 1953 Cri LJ 129

⁴ 1989 Supp (2) Supreme 706 = 1989 Supp (2) SCC 706

⁵ (2004) 11 SCC 282

Before parting with the case, we deem it appropriate to note our distress and concern as to how cases of homicide and other heinous offences are being dealt with by the police and the medical fraternity. The case on hand is a prime example to demonstrate casual and careless police investigation. The various lapses in the investigation noted above, most crucial of which was the failure of the Investigating Officer to either get the case properties subjected to chemical examination or in suppressing the report of such chemical examination, indicates the biased manner in which the investigation proceeded. The Investigating Officer did not even adhere to the basic requisite investigative processes, such as conducting a test identification parade in relation to the independent witness, P.W.6, who claimed to have seen the accused at the relevant time. Further, the statement of the Investigating Officer that he decided that the accused was the culprit after recording the Section 161 CrPC statement of P.W.4 manifests that the investigation thereafter was only tailored to arraign the accused but not to probe the evidence available and independently investigate as to who was responsible for the homicide and how it was committed.

Equally lackadaisical was the approach of the doctor in conducting the post-mortem examination. In most cases, we find that despite there being evidence involving blood and DNA, no steps are taken to at least identify the blood group of the deceased, so that the same can be corroborated with the blood-stained evidence. DNA analysis, even if undertaken, does not yield any palpable result in most cases, for some strange reason. The post-mortem examination report does not contain a column with regard to the blood group of the deceased and in the event the doctor conducting the post-mortem

examination is incapable of ascertaining the blood group, for want of infrastructure, steps should be taken to invariably send the blood of the deceased in every case to the Forensic Science Laboratory for identification of his blood group, so that the same could be used for such corroboration thereafter. Further, the post-mortem examination must consistently detail as to whether any food was found in the stomach/intestines of the deceased so as to narrow down the time frame within which he would have met with his death. In this regard, the doctor conducting the post-mortem must strive to narrow the time frame using advanced forensic skills which are now available, instead of baldly putting it in a bracket of 24 hours or more.

Unless steps are taken by the police and the medical fraternity to tighten and improve the investigative processes utilized by them, their investigation and consequential findings would be of little assistance in pinning the guilt upon those culpable of heinous offences, such as rape and murder.

The Registry shall forward a copy of this judgment to the concerned Inspectors-General of Police of the States of Telangana and Andhra Pradesh, in terms of Rule 161 of Criminal Rules of Practice and Circular Orders, 1990, for future guidance and corrective action.

SANJAY KUMAR,J

T.AMARNATH GOUD,J

23rd OCTOBER, 2017

**Note: L.R. copy to be marked
B/o PGS**