

IN THE COURT OF SESSIONS, ALAPPUZHA DIVISION

Present: Smt. V. G. Sreedevi, B.Sc, LL.M, Additional Sessions Judge -I

Tuesday, the 30th day of January, 2024/10th Magham, 1945

SESSIONS CASE NO. 461/2022

(Filed on:10.10.2022)

(Case committed by Smt. Rejani Thankappan, Judicial First Class Magistrate-I,
Alappuzha)

(*CP. No. 19/2022 of Judicial First Class Magistrate-I, Alappuzha
Crime No. 897/2021 of Alappuzha South Police Station*)

Complainant : State of Kerala, represented by
Deputy Superintendent of Police, Alappuzha
in Crime No. 897/2021 of Alappuzha South
Police Station.

(By Adv. Prathap G. Padickal - Special Public
Prosecutor, Mavelikara)

Accused : A1. Naisam, S/o. Shamsudheen,
Machanadu Colony, Ambanakulangara,
Ward No. 17, Mannanchery Panchayath.

A2. Ajmal, S/o. Abdul Khadar,
Vadakechirapuram Veedu,
South of Ambalakadavu Kizhakke Juma Masjid,
Ward No. 5, Mannanchery Panchayath.

A3. Anoop, S/o. Abdul Hameed,
Munduvadackal Veedu, Mullathu Ward,
Alappuzha Municipality.

A4. Muhammed Aslam, S/o. Jamalukutty,
Erangattu House, Avalookunnu P.O.,
Kottamkulangara Ward, Alappuzha Municipality.

- A5. Abdul Kalam @ Salam, S/o. Aboobaker,
Njaravelil Veedu, Ponnadu P.O.,
Ward No. 4, Mannanchery Panchayath.
- A6. Abdul Kalam, S/o. Abdul Kareem,
Darusab, Adivaram, Ward No. 17,
Mannanchery Panchayath.
- A7. Safarudheen, S/o. Salim, Thyvelikakom Veedu,
Mullathu Ward, Alappuzha Municipality.
- A8. Manshad, S/o. Mansoor, Udumbithara Veedu,
Ward No. 8, Mannanchery Panchayath.
- A9. Jaseeb Raja, S/o. Raja,
Kadavathussery Chirayil House, Mullathu Ward,
Alappuzha Municipality.
- A10. Navas, S/o. Saithumuhammed,
Vattakattussery Veedu, Palace Ward,
Alappuzha Municipality.
- A11. Sameer, S/o. Salim, Thayyil Veedu,
Avalookunnu P.O., Ward No. 10,
Aryad South Panchayath.
- A12. Naseer, S/o. Muhammed Abu,
Kannarukadu Veedu, South of Kanakoor Temple,
Ward No. 8, Mannanchery Panchayath.
- A13. Sakeer Hussain, S/o. Aboobaker,
Chavadiyil Veedu, Ward No. 17,
Mannanchery Panchayath.
- A14. Shaji @ Poovathil Shaji,
S/o. Aboobaker, Thekkevelyil, Ward No. 17,
Mannanchery Panchayath.

A15. Shernas Asharaf, S/o. Asharaf,
Nurudheen Purayidom, Municipal Office Ward,
Alappuzha Municipality.

(A1,A2,A3,A4,A5,A11,A12,A13 - By Adv. P.P. Haris,
Adv. K.M. Shyju, Adv. Shaiq Rasal M.,
Adv. Delson Devis P., Adv. Balu Aravind,
Adv. Shemi Kalam Padickal, Adv. Kiran C. Vinoy,
Adv. Baiju Louis Mookken, Adv. Jestu Paul A.,
Adv. Sohail Ahammed, & Adv. Yaha C.S.
A6,A10 - By Adv. K.N. Prasanth & Adv. E.A. Hairs
A7,A8,A9,A14 - By Adv. John S. Ralph,
Adv. Vishnu Chandran, Adv. Apoorva Ramkumar &
Adv. Ralph R. John
A15- By Adv. E.A. Haris)

Charge : Offence punishable u/s. 143,147,148,109,
120B, 449,447,427,506(ii),324,326,341,323,302,
201 r/w. 149 IPC and Section 27 of Arms Act.

Plea : Not guilty

Finding : Guilty

Sentence /order

1. Accused Nos.1 to 9 and 11 to 15 are sentenced to undergo rigorous imprisonment for six (6) months each u/s.143 of the Indian Penal Code.

2. Accused Nos.1 to 9, 11 and 12 are sentenced to undergo rigorous imprisonment for two (2) years each u/s.147 of the Indian Penal Code.

3. Accused Nos.1 to 9, 11 and 12 are sentenced to undergo rigorous imprisonment for three (3) years each u/s.148 of the Indian Penal Code.

4. Accused Nos.1 to 8 are sentenced to undergo imprisonment for life each and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.449 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten (10) months each.

5. Accused Nos.9, 11 and 12 are sentenced to undergo rigorous imprisonment for three (3) months each and to pay fine of ₹500/- (Rupees five hundred) each for the offence punishable u/s.447 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten(10) days each.

6. Accused Nos.1, 5, 9, 11 and 12 are sentenced to undergo rigorous imprisonment for two (2) years each and to pay fine of ₹10,000/- (Rupees ten thousand) each for the offence punishable u/s.427 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for one (1) month each.

7. Accused Nos.1 to 8 are sentenced to undergo rigorous imprisonment for seven (7) years each and to pay fine of ₹5,000/- (Rupees five thousand) each for the offence punishable u/s.506(ii) r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for fifteen (15) days each.

8. Accused No.8 is sentenced to undergo rigorous imprisonment for three (3) years and to pay fine of ₹5,000/- (Rupees five thousand) for the offence punishable u/s.324 r/w.149 of the Indian Penal Code. In default of payment of fine, he shall undergo rigorous imprisonment for fifteen (15) days.

9. Accused Nos.2, 7 and 8 are sentenced to

undergo rigorous imprisonment for one (1) year each and to pay fine of ₹1,000/- (Rupees one thousand) each for the offence punishable u/s.323 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten(10) days each.

10. Accused Nos. 1 to 8 are sentenced to undergo rigorous imprisonment for one (1) month each for the offence punishable u/s.341 r/w.149 of the Indian Penal Code.

11. Accused Nos. 9, 11 and 15 are sentenced to undergo rigorous imprisonment for seven (7) years each and to pay fine of ₹10,000/- (Rupees ten thousand) each for the offence punishable u/s.201 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for fifteen(15) days each.

12. Accused Nos.1 to 9, 11 and 12 are sentenced to undergo rigorous imprisonment for seven (7) years each and to pay fine of ₹10,000/- (Rupees ten thousand) each for the offence punishable u/s.27 of the Arms Act. In default of payment of fine, they shall undergo rigorous imprisonment for ten(10) days each.

13. Accused Nos.1 to 8 each are sentenced to Death and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.302 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten (10) months each. I direct that they shall be hanged by the neck till they are dead.

14. Accused Nos.9, 11 and 12 each are sentenced to Death and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.302 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment

for ten (10) months each. I direct that they shall be hanged by the neck till they are dead.

15. Accused Nos.13 to 15 each are sentenced to Death and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.302 r/w.120B of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten (10) months each. I direct that they shall be hanged by the neck till they are dead.

Case against the Accused No.10 is split up.

Description of the Accused

| Sl. No | Name | Father's Name | Religion | Occupation | Residence | Age |
|--------|---------------------|---------------|----------|------------|---|-----------|
| 1 | Naisam | Shamsudheen | Muslim | Coolie | Machanadu Colony, Ambanakulangara, Ward No. 17, Mannanchery Panchayath. | 42/ 22 |
| 2 | Ajmal | Abdul Khadar | Muslim | Coolie | Vadakechirapuram Veedu, South of Ambalakadavu Kizhakke Juma Masjid, Ward No. 5, Mannanchery Panchayath. | 28/ 22 |
| 3 | Anoop | Abdul Hameed | Muslim | Coolie | Munduvadackal Veedu, Mullathu Ward, Alappuzha Municipality. | 36/ 22 |
| 4 | Muhammed Aslam | Jamalukutty | Muslim | Coolie | Erangattu House, Avalookunnu P.O., Kottamkulangara Ward, Alappuzha Municipality. | 32/ 22 |
| 5 | Abdul Kalam @ Salam | Aboobaker | Muslim | Coolie | Njaravelil Veedu, Ponnadu P.O., Ward No. 4, Mannanchery Panchayath. | 35/ 22 |

| | | | | | | |
|----|-------------------------|-----------------|--------|--------|--|-----------|
| 6 | Abdul Kalam | Abdul Kareem | Muslim | Coolie | Darusab, Adivaram, Ward No. 17, Mannanchery Panchayath. | 43/ 22 |
| 7 | Safarudheen | Salim | Muslim | Coolie | Thyvelikakom Veedu, Mullathu Ward, Alappuzha Municipality. | 25/ 22 |
| 8 | Manshad | Mansoor | Muslim | Coolie | Udumbithara Veedu, Ward No. 8, Mannanchery Panchayath. | 33/ 22 |
| 9 | Jaseeb Raja | Raja | Muslim | Coolie | Kadavathussery Chirayil House, Mullathu Ward, Alappuzha Municipality. | 34/ 22 |
| 10 | Navas | Saithu Muhammed | Muslim | Coolie | Vattakkattussery Veedu, Palace Ward, Alappuzha Municipality. | 49/ 22 |
| 11 | Sameer | Salim | Muslim | Coolie | Thayyil Veedu, Avalookunnu P.O., Ward No. 10, Aryad South Panchayath. | 37/ 22 |
| 12 | Naseer | Muhammed Abu | Muslim | Coolie | Kannarukadu Veedu, South of Kanakoor Temple, Ward No. 8, Mannanchery Panchayath. | 50/ 22 |
| 13 | Sakeer Hussain | Aboobaker | Muslim | Coolie | Chavadiyil Veedu, Ward No. 17, Mannanchery Panchayath. | 36/ 22 |
| 14 | Shaji @ Poovathil Shaji | Aboobaker | Muslim | Coolie | Thekkevelyil, Ward No. 17, Mannanchery Panchayath. | 47/ 22 |

| | | | | | | |
|----|-----------------|---------|--------|--------|---|-------|
| 15 | Shernas Asharaf | Asharaf | Muslim | Coolie | Nurudheen Purayidom, Municipal Office Ward, Alappuzha Municipality. | 38/22 |
|----|-----------------|---------|--------|--------|---|-------|

Dates of

Offence : 19.12.2021

Report : 19.12.2021

Apprehension : A1 - Naisam - 03.01.2022
A2 - Ajmal - 06.01.2022
A3 - Anoop - 28.12.2021
A4 - Muhammed Aslam - 31.01.2022
A5 - Abdul Kalam @ Salam - 03.03.2022
A6 - Abdul Kalam - 03.01.2022
A7- Safarudheen - 01.01.2022
A8- Manshad - 22.02.2022
A9 - Jaseeb Raja - 28.12.2021
A10- Navas - 06.01.2022
A11 - Sameer - 16.02.2022
A12- Naseer - 06.01.2022
A13 - Sakeer Hussain - 24.01.2022
A14 - Shaji @ Poovathil Shaji - 17.01.2022
A15 - Shernas Asharaf - 03.03.2022

Release on Bail : In judicial custody

| | | |
|-----------------------|---|-------------|
| Committal | : | 26.04.2022 |
| Commencement of trial | : | 17.04.2023 |
| Close of trial | : | 06.01.2024 |
| Hearing on Sentence | : | 25.01.2024 |
| Awarding Sentence | : | 30.01.2024. |
| Explanation for delay | : | No delay |

This Sessions Case having been heard on 25.01.2024 and the court on 30.01.2024 delivered the following:

JUDGMENT

This is a case charge sheeted by Deputy Superintendent of Police, Alappuzha against the accused persons, 15 in number, in Crime No.897/2021 of Alappuzha South Police Station, alleging commission of offences punishable u/ss. 143, 147, 148, 109, 120B, 449, 447, 427, 506, 323, 326, 341, 323, 302, 34, 201 r/w.149 of the Indian Penal Code and Sec.27 of the Arms Act.

2. The prosecution case, in brief, is as follows:- Son of CW1, Adv. Ranjith Sreenivasan, a 45 year old BJP activist, was a practicing lawyer in Alappuzha Bar. He was the District Secretary of Abhibhashaka Parishad and State Secretary of BJP OBC Morcha. He was a candidate of BJP in the election of Legislative Assembly in 2015 from Alappuzha Constituency. The accused persons are active workers and are holding responsible posts in PFI/SDPI.

3. There was a general conspiracy that in case a PFI/SDPI activist is attacked, the one who is having the same capacity in the attacking organization would be attacked. While so, on 24.02.2021, at 21.05 hours, an active RSS activist Nandu R. Krishna, aged 24 years was hacked to death by PFI/SDPI activists. It is Crime No.434/2021 of Cherthala Police Station.

4. Expecting a counter attack, the President of PFI, Mannancherry Division-A16, Secretary-A4, Zone President-A13, former Zone President-A14, A3, A9 and A15 who are the persons holding charge of PFI of Alappuzha town have collected the photographs of RSS BJP activists of Mannancherry and Alappuzha area from online media illegally. They planned that in case the State Secretary of SDPI, 36 years old Shan is attacked, they would make a counter attack by committing the murder of Adv. Ranjith Sreenivasan who is holding the similar post in the State level of BJP, for which, they have collected details of the residence of Ranjith Sreenivasan.

5. On 18.12.2021, at 07.27 p.m., Shan was attacked and murdered. Hence, as part of the conspiracy for counter attack, at 08.00 p.m. on 18.12.2021, over the terrace of building No.283/XVII of Mannancherry Panchayath, west of Ambanakulangara junction, owned by the 14th accused, the 13th accused who is the Zone President of P.F.I., Alappuzha town abetted accused Nos.1, 2, 4, 5, 6, 8, 11 to 14 and 16 to 26 for the commission of

murder of Adv. Ranjith Sreenivasan.

6. Thereafter, the accused persons 3, 7, 9, 10, 15 and 27 to 31 were members of an unlawful assembly at 20.30 hours on 18.12.2021 at the District Committee Office of PFI, near Vellakinar junction. As part of the plot to commit the murder, at 08.50 p.m. on 18.12.2021, accused Nos.2 and 12 reached the office of Advocate Ranjith Sreenivasan at Alappuzha Municipal Sathram and informed the situation to accused Nos.5 and 12 over phone.

7. Thereafter, at 10.30 p.m. on 18.12.2021, the third accused along with accused No.29 reached in front of the house of CW1 Vinodini and informed the said matter to accused No.13 over phone. Thereafter, at 11.30 p.m. on 18.12.2021, in the house of Selma Beevi, with building No. 284A/XVII, west of Ambanakulangara junction, accused Nos.1, 3, 13, 14 along with accused Nos.16 and 18 to 24 had conspiracy for committing murder of Adv. Ranjith Sreenivasan. Then, at 01.00 in the midnight on 19.12.2021, accused Nos.1, 2, 4, 5, 6, 8, 11 and 12 were members of an unlawful assembly at Pallimukku junction in a single room building. Thereafter, at 01.35 a.m. on 19.12.2021, inside the compound of Muslim Jama-Ath of Kunnumpuram Masjid, accused Nos.3, 13, 14, 16 and 29 had conspiracy.

8. As per the criminal conspiracy, at 06.33 a.m. on 19.12.2021, accused Nos.1 to 12 became members of an unlawful assembly in front of

house No.304/XXV, Kunnumpurathu House in Alappuzha West Village and with the weapons such as hammer, swords, sword-sticks, hatchet, chopper trespassed into the property of CW1 Vinodini. Then, accused Nos.1 to 8 trespassed into the said house and threatened CW1 Vinodini, causing fear of death and restrained her. Accused Nos. 2, 7 and 8 pushed CW2 Lisha and pushed down CW1 Vinodini. Accused No.8 caused injury to CW1 Vinodini by a sword. Thereafter, accused Nos.1 to 8 caused grievous injuries to Adv. Ranjith Sreenivasan with dangerous weapons in their hands and committed his murder.

9. Accused Nos.1, 5, 9, 11 and 12 committed mischief by causing damage to a glass teapoy, a car bearing Reg. No. KL-04-AP-1965 and a motorcycle bearing Reg. No. KL-04-AK-6879, causing loss of ₹37,000/- to CW1 Vinodini and CW2 Lisha. Thereafter, accused Nos. 1 to 9 and 11 caused disappearance of certain evidence. While the accused Nos. 1 to 8 were attacking Adv. Ranjith Sreenivasan and CWs1 and 2, accused Nos.9 to 12 guarded in the courtyard of the house to prevent escape of the victim Sri. Ranjith Sreenivasan. Thus, the accused persons have committed the aforesaid offences in prosecution of common object, after sharing common intention.

10. The charge-sheet was filed against accused Nos.1 to 15 only and the investigation is pending against the remaining accused. The charge-sheet

was filed before the Judicial Magistrate of 1st Class-I, Alappuzha and the said Court received the case on file as C.P.19/2022. All the accused persons who are in custody, on production before the said court, were served with the prosecution records. Thereafter, the case was committed to the Hon'ble Sessions Court, Alappuzha by the learned Magistrate, since it is exclusively triable by a Court of Session. Thereafter, the case was made over to the Additional Sessions Court-II, Alappuzha for trial. Subsequently, as per the order of the Hon'ble High Court, the case is transferred to this Court for trial and disposal.

11. On production of the accused persons before this Court, charge u/ss. 143, 147, 148, 109, 120B, 449, 447, 427, 506(ii), 324, 326, 341, 323, 302, 201 r/w.149 of the Indian Penal Code and Sec.27 of the Arms Act framed, read over and explained to them, to which, they pleaded not guilty. Thereafter, on the side of prosecution, PWs1 to 156 were examined and Exts.P1 to P697 were marked. MOs1 to 112 were also marked. Exts.D1 to D3 were marked, out of which, Exts.D1 and D2 are the contradictions brought out during the cross-examination of prosecution witnesses and Ext.D3 is a statement of the 14th accused recorded by the learned Magistrate.

12. Thereafter, all the accused persons were questioned u/s.313(1)(b) of Cr.P.C. They have denied the entire case and have filed separate statements,

in which, it is contended that all these accused persons were arrested from their respective houses and after that, their photographs were taken. Thereafter, using the photographs, the witnesses PWs1, 2, 8 and 9 were made to identify the accused persons. They have not given statements as alleged. Nothing was recovered on the basis of their statements.

13. They have no connection with the weapons or documents prepared by the Police. All the mahazars prepared are fabricated. The palm print is not that of the 1st accused. The report of the fingerprint expert is without any scientific basis. The Police have brutally manhandled these accused persons. The 14th accused has made a grievance before the learned Magistrate about that and that is recorded by the learned Magistrate. They are totally unaware of these incidents. Since the SDPI leader Shan was attacked and murdered by BJP-RSS activists, simply a case is registered against them. SC 527/2022 and S.C.1020/2023 are pending before the Sessions Court, Alappuzha.

14. Because of these facts, misunderstanding that Adv.Ranjith Sreenivasan was murdered by SDPI activists, the Police has registered such a case. They are totally innocent in this case. After the murder of Shan, all these accused persons have contacted each other. The funeral of Shan was conducted in the evening of 19.12.2021. When the accused persons were produced before the Court, the Police asked them to remove the mask for

enabling PW1 Vinodini to identify them. In order to identify these accused persons by PW1, each of the accused was asked to come near the witness box. In order to enable PWs2, 8 and 9 to identify the accused persons, the Police pointed out these accused persons to them.

15. The visuals seen in the CCTV are not that of these accused persons. These accused have not travelled in any of the vehicles at that time, as alleged. Most of the documents which are marked before the Court are not served on the defence.

16. Thereafter, both sides were heard u/s.232 of Cr.P.C. Since this is not a fit case to acquit the accused persons at the said stage, they were called upon to enter on their defence, but no defence evidence adduced.

17. Thereafter I heard both sides in detail and perused the records.

18. Three separate argument notes were filed by accused. Prosecution also filed argument note.

19. The points that arise for determination are:-

- 1. Did Advocate Ranjith Sreenivasan died of homicidal injuries sustained to him at 06.33 a.m. on 19.12.2021?***
- 2. Did the accused persons become members of an unlawful assembly in prosecution of the common object of committing murder of Adv. Ranjith Sreenivasan, as alleged?***

3. *Did the accused persons commit rioting in prosecution of the common object of committing murder of Adv. Ranjith Sreenivasan, as alleged?*
4. *Did the accused persons commit rioting with deadly weapons in prosecution of the common object of committing murder of Adv. Ranjith Sreenivasan, as alleged?*
5. *Did the 13th accused commit abetment, thereby abetted the other accused persons to commit murder of Adv. Ranjith Sreenivasan, as alleged?*
6. *Did the accused persons commit criminal conspiracy to commit murder of Adv. Ranjith Sreenivasan, as alleged?*
7. *Did accused Nos.1 to 8 commit house trespass into the house of PW1 for the purpose of committing murder of Adv. Ranjith Sreenivasan, as alleged?*
8. *Did the accused persons 1 to 12 commit criminal trespass into the property of PW1 for the purpose of intimidating or annoying her, as alleged?*
9. *Did accused Nos.1, 5, 9, 11 and 12 commit mischief by destroying the glass teapoy and damaging the car and motorcycle causing loss to the tune of ₹37,000/-, as alleged?*
10. *Did accused Nos.1 to 8 intimidate PW1 causing fear of death to her, as alleged?*
11. *Did accused No.8 voluntarily cause hurt to PW1 by means of a dangerous weapon, which is likely to cause death, as alleged?*
12. *Did accused Nos.2, 7 and 8 voluntarily cause hurt to PWs1 and 2, as alleged?*
13. *Did accused Nos.1 to 8 wrongfully restrain PW1, as alleged?*
14. *Did accused Nos. 1 to 8 commit murder of Adv. Ranjith Sreenivasan, as alleged?*

15. *Did accused Nos. 9 to 15 became members of an unlawful assembly in prosecution of the common object and commit criminal conspiracy to murder Adv. Ranjith Sreenivasan and thus, Adv. Ranjith Sreenivasan was murdered, as alleged?*
16. *Did accused Nos. 1 to 9 and 11 & 15 cause disappearance of evidence, as alleged?*
17. *Did the accused persons commit these offences in prosecution of the common object and with the knowledge that they are the members of an unlawful assembly, likely to commit offence punishable with imprisonment, as alleged?*
18. *Did the accused persons 1 to 12 possess and use arms which are not meant for domestic or agricultural use, as alleged?*
19. *Sentence or order?*

20. **Point No.1:-** The prosecution case is that on 19.12.2021, at about 06.33 a.m., a group of 12 persons reached the house of PW1, a septuagenarian, a retired Superintendent from the Health Department and eight of them pushed open the front door of the house and one among them smashed the glass teapoy placed in the hall room. Hearing the sound, Advocate Ranjith Sreenivasan (who will be hereinafter referred as 'Advocate') who was sleeping in the bedroom adjoining the kitchen and PW2, the wife of Advocate suddenly came into the dining room which is the next room of the hall. PW8, the younger daughter of them who was sleeping in the next bedroom and PW1 who was at the staircase outside the house also, seeing this,

came into the hall.

21. Then, without giving a chance for the Advocate to stand in the room, the first accused suddenly inflicted a heavy bang upon the head of the Advocate and the other two accused persons with the swords, inflicted severe injuries on his face and neck which caused splashing of blood which reached upto the roof of the room. Thereafter, the other accused persons, taking their turn, repeatedly inflicted severe injuries over the body of the said Advocate which were on the face, neck, chest, abdomen lower limbs and upper limbs. His tooth was even thrown away and one side of the brain was smashed.

22. These things happened within a small span of nearly three minutes, according to the witnesses, PWs1, 2 and 8, the mother, wife and daughter respectively. When the mother cried aloud for help, the younger brother of the Advocate who was sleeping in the upstairs of the house rushed down and then the accused persons left the place and when PW9, the said brother was coming down from the staircase, he could see two persons leaving the house through the pathway in front of the house and heard the sound of starting motorcycles.

23. When accused Nos.1 to 8 trespassed into the house, the 9th accused with a sword reached outside the door of kitchen and stood there. The other three accused ie., accused Nos.10 to 12 stood in front of the front door and they had the intention to prevent the escape of Advocate from the house and

also to avoid help to him from outside. After the attack, when they were leaving the house, accused Nos.9, 11 and 12 have broken the wind shield and glass of the car and also caused damage to the motorcycle. The car belongs to PW2, the wife and the motorcycle belonged to the Advocate. Thus, the accused persons have caused a loss to the tune of ₹37,000/-, including the damage to the glass teapoy to PWs1 and 2.

24. There are three occurrence witnesses in this case and one is a partial eye witness who had seen only a part of the incident. PW1, the mother, PW2, the wife and PW8, younger daughter aged 11 years are the witnesses to the brutal incident. As per the version of PW1, accused Nos.1 to 8 first damaged the glass teapoy and thereafter, they repeatedly inflicted very serious injuries with deadly weapons on the victim and at that time, PW1 tried her level best to prevent them, but she was restrained by the accused persons. Accused Nos.2, 7 and 8 pushed her down and thereafter a sofa setty made of cane kept over her body, the 7th accused fisted on her chest and back and when she had pushed it away and again got up, accused No.8 caused injury on her back with a sword.

25. PW2, the wife of Advocate who is also a practicing lawyer at Alappuzha Bar, who was in the kitchen had seen one person with sword reaching the door of kitchen which was closed and suddenly she heard the

sound of hitting the door against the wall and smashing of the glass teapoy. When she entered into the dining room, the Advocate woke up and reached the said room. By that time, the small child-PW8, who was sleeping in the other bedroom on the south-western side also entered into the dining room and by that time, the first accused inflicted a massive hit with a hammer over the head of the Advocate and the other accused persons severely attacked him with weapons in their hands. MO1 is the hammer that was used by the first accused. The accused Nos.4 and 5 had hatchets in their hands and the other accused persons were having swords and sword-sticks. All of them within a short span of time, inflicted severe injuries.

26. The pertinent aspect to be noted is that all the occurrence witnesses, PWs1, 2 and 8 have witnessed these tragic incident of attack on the Advocate and all of them have clearly deposed the heart broken incident before the court. There was no contradiction at all with respect to the incident narrated by these witnesses. In fact, the learned counsel for the accused persons have pointed out some minor discrepancies and they have relied upon the decision of the Hon'ble Supreme Court in **2003 KHC 1661, Khima Vikamshi And Another v. State of Gujarat**. It can be considered as trivial because when a person is attacked, that too, the son of a lady of 72 years, husband of a 43 year old lady and father of an eleven year old child, the

mental shock and agony they had undergone have been clearly narrated through the depositions before the Court.

27. After the incident, an ambulance reached immediately at the place. The incident was said to be the counter attack with respect to the murder of a SDPI State leader, which happened on the previous night ie., on 18.12.2021. After that, as there was severe law and order situation, there were strict instructions for watching and guarding the houses of RSS-BJP leaders. So, there was motorcycle patrolling as well as jeep patrolling throughout the night.

28. In the early morning, about 06.00 a.m. on 19.12.2021, the driver of the patrolling jeep got a message through phone that somebody was attacked at Nandilathu junction. Immediately, the jeep reached the said place, but there was nothing. They have searched the nearby places and at last, when they reached the Doraisir road where the house of Advocate situates, they have seen an ambulance taking in a reverse direction to reach the said house.

29. Immediately, PW112, the Grade S.I., Alappuzha South Police Station reached the said house and saw the brutally attacked Advocate who had no clothes other than a T-shirt over his body. He helped the ambulance driver and nurse to take the Advocate to the ambulance, after taking some clothes to cover his body and the ambulance was rushed to the Medical College Hospital, Vandanam.

30. The same was the version given by PW3, the driver of the ambulance, who also witnessed the tragic scene of the attacked Advocate who was lying down in the dining room near the dining table where blood was seen splashed even on the side walls and roof.

31. Thereafter, when the Advocate was taken to the hospital, his death was declared by the Doctor PW136. Thereafter, the formalities have been complied with by preparing inquest-Ext.P36, which is done by PW146, the Inspector of Edathua Police Station, who was authorized by the District Police Chief to conduct the same by Ext.P36(a) order. After that, post mortem examination was conducted on the same day by PW87 and he noticed 46 ante mortem injuries over the body of the deceased. The injuries are:

1. Incised wound 4x3 cm, bone deep, vertically placed on the right side of chin, 2 cm outer to midline and its upper end involving the right side of lower lip.
2. Incised wound, raising a flap of skin to the right, 15x4x4 cm, obliquely placed on right side of lower part of face and extending to middle of neck, its upper outer end being 1 cm outer to right ear lobule and lower inner end 7 cm above root of neck in the midline, showing an obliquely placed superficial tailing 3 cm long extending from its lower end.
3. Incised wound 13x3x3 cm, vertical on the left side of face and adjoining neck, its upper end being 2 cm outer to left angle of mouth, with superficial vertical tailing 2 cm in length arising from its lower end.

4. Incised wound 13x2x5 cm, entering the floor of mouth, vertically placed involving left side of face, chin and adjoining neck, with its upper end on the lower lip 2.5 cm inner to angle of mouth, with a vertically placed superficial tailing (2 cm long) arising from its lower end; the underlying mandible seen cut, fragmented and separated, the front half of tongue also showed a vertically placed incised wound separating it into two halves.
5. Incised wound 15x2x5 cm, opening into oral and nasal cavities, obliquely placed across right side of face, nose and adjoining left side of face, its upper right end being at the outer end of right eyebrow and lower left end involving left angle of mouth. Underlying maxillary bone was cut and fragmented.
6. Incised wound 10x2 cm, bone deep; horizontal on the right side of forehead, its inner end 1cm above inner end of eyebrow; the frontal bone seen cut with downward beveled margins, partially opening into the right orbit and frontal sinus.
7. Incised wound 14x2 cm, bone deep, sagittally placed on left side of top and adjoining back of head, its front end 5 cm outer to midline and 7 cm above eyebrow, adjoining back of head, its front end 5 cm outer to midline and 7 cm above eyebrow, the underlying parieto-occipital bones were cut and partially fragmented, partially exposing the skull cavity.
8. Incised wound 9.5x2 cm, bone deep, coronally placed on left side of head, inner end 0.5 cm outer to outer margin of injury no.(7), placed 10 cm above outer end of left eyebrow. The underlying parietotemporal bones were fractured exposing the cut dura and bulging hemorrhagic

brain tissues; correspondingly the left side of brain was seen cut, soft and partly pulpified.

9. Lacerated wound 6x0.5x0.5 cm, horizontally placed on right side of head, just above root of ear; its margins were contused and abraded.
10. Lacerated wound 1.5x0.2x0.8 cm, oblique with underlying contusion on right side of neck, its front upper end 1 cm below root of ear.

The brain (1288 gm) was oedematous and showed diffuse bilateral subarachnoid and subdural hemorrhages.

11. Incised wound 9x1x1.5cm, obliquely placed on right side of neck, lower inner end 5 cm above root of neck in the midline.
12. Incised wound 10 x 1x2 cm obliquely placed on right side of neck, lower inner end 1.5 cm to left of midline and 4 cm above root of neck, its upper outer end showed superficial tailing 2 cm in length. All the underlying blood vessels including carotid arteries, muscles and other soft tissues on right side were seen cleanly cut. The right side of larynx was seen cut and exposed over a length of 4 cm, involving its full thickness. Fracture of greater horn of hyoid bone on left side. The body of seventh cervical vertebrae showed a cut 3x0.5 cm on its right side.
13. Incised wound 5x0.5x0.5cm, horizontal on right side of root of neck, inner end 2.5cm outer to midline.
14. Incised wound 0.5x0.5x0.2cm on the middle of front of root of neck.
15. Superficial incised wound 4.5x0.3cm, obliquely placed on right side of lower neck, lower inner end 2 cm above root of neck in midline.

16. Incised punctured wound 2x1x4.5 cm, vertically placed on left side of root of neck, its lower blunt end 6 cm outer to midline, upper end appeared pointed; it was seen cutting through the underlying collar bone.
17. Incised punctured wound 2x0.5x4 cm, vertical on left side of front of chest, upper pointed end 4 cm outer to midline and just below collar bone; lower end was blunt.
18. Incised wound 3x1x1cm, vertical, on left side of root of neck, 10 cm outer to midline.
19. Incised punctured wound 3.5x1.5x5 cm, horizontal, on right side of front of chest, outer rounded end 6 cm below tip of shoulder, its inner pointed end showed superficial tailing 5 cm long directed inwards.
20. Incised punctured wound 7x2x4 cm, horizontally placed on right side of front of chest, inner pointed end in the midline 5 cm below root of neck, outer end was blunt.
21. Incised punctured wound 6x1.5x6 cm, horizontally placed on the middle of front of chest, its right rounded end 0.5cm below lower margin of injury no.(20), 2 cm to right of midline, left end of wound was pointed; the wound track seen directed backwards and slightly upwards, puncturing through manubrium of sternal bone and cutting open the front wall of left brachiocephalic vein.
22. Incised penetrating wound 5x1.5cm on the middle of front of chest, its right rounded end 4 cm below root of neck, left end was pointed, the wound track was seen directed backwards and slightly upwards and to

left, for a total minimum depth of 6 cm. The left first rib was seen punctured through and the wound terminated by making a superficial cut on the arch of aorta 0.2x0.2 cm, showing extensive infiltration of blood all around.

23. Incised penetrating wound 5.5x2cm, horizontal on left side of front of chest, its outer pointed end 12 cm outer to midline and 8 cm below collar bone; inner end was blunt; wound track was seen directed backwards and slightly upwards for a total minimum depth of 5 cm and terminated by puncturing the front surface of upper lobe of left lung (4 cm below its apex) over an area of 1.3x1x0.5 cm. The lung was seen collapsed; left chest cavity contained 250 ml of fluid blood.
24. Abraded contusion 5x0.5x0.3 cm, horizontal on left side of front of chest, 5cm outer to midline and 8 cm below collar bone.
25. Abraded contusion 5x0.5x0.5 cm horizontal on left side of front of chest, inner end 7 cm outer to midline and 6 cm below collar bone.
26. Abraded contusion 6x0.5x0.3cm on left side of front of chest, inner end 10 cm outer to midline and 5 cm below collar bone. Injuries No.24, 25 and 26 were placed parallel and one above the other.
27. Superficial incised wound 10x0.2 cm, oblique on right side of abdomen, upper outer end 1cm below costal margin and 10 cm outer to midline.
28. Superficial incised wound 5x0.1cm, oblique on left side of lower abdomen, upper inner end 6 cm above groin in midline.
29. Abraded contusion 7x0.5x1.5cm, horizontal, on the outer aspect of right shoulder, 4 cm below its tip.

30. Abraded contusion 6x0.5x0.2cm on the outer aspect of right shoulder, 8 cm below its tip. Underlying muscles of shoulder region were crushed.
31. Incised wound 2x0.5 cm, bone deep, oblique on back of right index finger 2 cm below its root.
32. Incised wound 23x3x5.5 cm, horizontal on front aspect of right thigh, 17 cm below top of hip bone. Underlying muscles were cleanly cut, front surface of femoral artery showed a superficial cut 0.2 cm long.
33. Incised wound 17.5x1.5x4cm, horizontal on front aspect of right thigh, 3cm below the previous injury and parallel to it, underlying muscles cleanly cut.
34. Incised wound 16x2x3cm, horizontal on front surface of right thigh, 3 cm below injury No.(33) and parallel to it.
35. Incised wound 18x2x3cm, horizontal on the front surface of right thigh, 3.5cm below injury No.(34) and parallel to it.
36. Incised wound 15x1.5cm, bone deep, on front surface of right thigh, 3.5cm below injury No.(35), splintering the femur bone underneath and exposing bone marrow and liquid fat.
37. Incised wound 12x0.5cm, bone deep, horizontal on front surface of right thigh, 1.5 cm below injury No.(36) and parallel to it; the underlying femoral bone showed a superficial cut.
38. Incised wound 16x3x4 cm, oblique on the front surface of left thigh, lower outer end 9 cm above the knee, underlying muscles were cleanly cut.

39. Incised wound 4.5x1x1.5cm, seen obliquely across injury No.(38) and perpendicular to it, placed on the front surface of left thigh, with superficial tailing 10.5cm long, directed outwards from its upper outer end.
40. Incised wound 2.5x0.5x2cm, oblique on inner aspect of left thigh, 17 cm above knee; with its upper outer end showing tailing 2 cm in length.
41. Superficial incised wound 5 cm long, oblique, on the back of left hand, its lower outer end 2cm above root of index finger.
42. Superficial incised wound 8x0.2cm, oblique, on the right side of back of chest, lower outer end 2 cm outer to midline and 3 cm below root of neck.
43. Superficial incised wound 9.5 x 0.2 cm, oblique, on right side of back of chest, its lower inner end 4 cm outer to midline and 8 cm below root of neck.
44. Linear abrasion 2.5cm long, horizontal on the left side of back of chest, inner end 4 cm outer to midline and 10 cm below top of shoulder.
45. Abrasion 1.5x1.5cm on the back of right shoulder 3 cm below its tip.
46. Abrasion 2.5x0.4cm, oblique, on left side of back of chest, its upper outer end, 8 cm outer to root of neck.

32. The post mortem certificate is Ext.P105. It would show that some of the injuries are like flapping injuries by doing chipping over the body because the injuries are like oblique as well as parallel ones. The scene

mahazar-Ext.P114 would show that even the parts of skull and tooth were seen scattered in the room apart from splashing of blood. PW90 is an attester to Ext.P114 scene mahazar.

33. PW87 deposed that injury Nos.1 to 9 are on the various parts of head and face; injury Nos. 11 to 16 are on the neck portion of the body; injuries 17 to 26 are on the chest; injuries 27 and 28 are on the abdomen; injuries 29 to 31 are on the right upper limb; injury Nos.32 to 40 are on the lower limbs; injury No.41 is on the left upper limb; injury Nos.42 to 44 and 46 are on the back of chest; injury No.45 is on the back of right shoulder. The opinion as to the cause of death is due to incised wound sustained to the head, neck (injuries 2 to 8 and 11 & 12), right lower limb (injuries 32 to 37) and penetrating wound sustained to the chest (injuries 21, 22 & 23).

34. The Doctor has given evidence after taking the MOs (weapons) in his hand and took measurements and compared it with the injuries. The material objects seized in this case ie., MO1 to 9 series, of which MO5 series are two hatchets and MO7 series are two swords and MO9 series are also two swords. The Doctor opined that injury Nos.9, 10 and the penetrating wound 22 and 23 are sufficient in the nature of course to cause death. So, these evidence would conclusively prove the fact that the Advocate died due to the

homicidal injuries he sustained at 06.33 a.m. on 19.12.2021, as alleged by the prosecution. Hence, this point is found in favour of the prosecution.

35. **Point No.14:-** Immediately after the incident, the Investigating Agency tried to collect the evidence by searching the CCTV cameras which are available in the vicinity. They have also thought it necessary to question the son of the first accused, Ali Ahammed who was an employee of Shan who was attacked in the previous night. Likewise, the CCTV visuals also would show that between 6 a.m. and 6.30 a.m. on 19.12.2021, four motorcycles and two scooters were passing through an area and is proceeding towards the house of PW1. So, those CCTV visuals were captured by copying it in pendrives and those were shown to auto rickshaw drivers as well as persons who had occasion to be in the vicinity of these places.

36. Accordingly, the CCTV visuals from Thalavadi junction, a place near Thiruvilakku temple where there was a fancy store, by name 'Kensa Fancy and Gold Covering' were taken, owned by PW20. Likewise, the next spot i.e., from Kottankulangara Thalavady junction to AKG Junction, CCTV visuals from the camera installed in the house of Varghese, 'Joy Villa' were collected and the cameras were facing towards the road from which the visuals were got.

37. Again, further south of AKG junction, there was house of PW18- Manoj, S/o. James from whose CCTV also, visuals were taken. Again, further

south of that, at the Asramam – Chathanad MC John Company road, there is Mohiyuddin Juma Mazjid and there was also CCTV and those visuals were also taken. From there towards Savakotta palam Vadakkekara District Court bridge near Vazhicherry bridge, there was ‘Bright Auto Electricals’, a shop attached to the house of PW17 and from there also visuals were got.

38. Again further south of it there is Kothuval Chavadi bridge, where there was CCTV camera in ‘N.S. Metals Store’ of PW122 from where also visuals were captured by copying it. Thereafter, at the CCSB road which is the ending place of Doraisir road there is ‘Thengummoottil Paper Mart’ and visuals were taken from the camera installed therein. PW12 is the Manager of ‘Thengummoottil Paper Mart’. Collection of these CCTV visuals clearly reveal the passing of four motorcycles and two scooters, over which, two persons each were riding, so, travelling of 12 persons in the morning of 19.12.2021 at around 06.00 could be revealed.

39. PW5 and PW6 are two local persons who had witnessed the passing of six two-wheelers in an unusual speed in the early morning, around 06.00 a.m. on 19.12.2021. PW5 is a representative of people in the Municipal election during 2010 – 15. According to him, when he saw the two-wheelers entering into the Doraisir road, he proceeded towards his route, but immediately he heard the hue and cry. Thereafter, he returned to the same

route to know what had happened. Then, he saw an ambulance which is taking in the reverse direction. He had seen the CCTV visuals shown to him by the Investigating Officer-PW156 and in that visual, his image was also seen and the six two-wheelers passing through the road also seen. After that, in the visuals, at around 07.00 a.m., four motorcycles and one scooter were returning in the same direction was seen.

40. Likewise, PW6 who is also residing in the nearby place had seen four motorcycles and two Activa scooters in over speed. He turned towards back and stood there for a while to see where these vehicles are proceeding. The conduct would show that it was an unusual one because in the early morning, there was no need for such an over speed when there were no vehicles on the road.

41. He had also met PW5 on the way. His version was corroborated when he had seen the CCTV visuals in the pendrive and he identified PW5 and also identified the type of vehicles, one is a Bajaj CC-100 black motorcycle, another was TVS black, yet another CT 110 red motorcycle and two Activa scooters, of which, one is black and the other is blue. He identified KL-4-AQ-9098 Bajaj CT100 and that is MO26. The vehicle KL-4-AR-4990 TVS Radeon Black is MO27. KL-4-AD-2341 Black Splendour is MO28 and KL-4-AR-5285 Black Platinum is MO29. The scooters, Activa 5G-KL-4-AM-7048 Blue is MO30

and Activa 4G KL-4-AK-7167 Black is MO31. He could clearly identify these vehicles when he saw the visuals in the CCTV. He would say that he had seen these vehicles at the relevant time.

42. PW13 used to have morning walk and it starts from 05.30 a.m. According to him, when he reached Chathannoor Bhagam from Asramam junction, he saw four motorcycles, on which, there were two persons each and in the last among the motorcycles, the person who was the pillion had something hidden within his right leg portion which appears to be a long object. The said person had long hair. The person with long hair has been identified as the pillion rider of the motorcycle and that is identified by PW28 and 31.

43. PW22 is an auto rickshaw driver who used to do exercise in the early morning. After his exercise, at about 06.30 a.m. on the alleged day when he was returning, he saw two scooters passing in high speed. He identified the 9th accused who was riding a scooter and the third accused as the pillion. PW22 identified the 7th accused also as the rider of the other scooter.

44. PW28 is a mechanic and he was shown the CCTV visuals by the Police and he identified the second accused as the pillion rider of the first motorcycle and the 5th accused as the pillion of the second motorcycle. Then, PW31, who is the neighbour of accused Nos.2 and 8, identified them after

seeing the CCTV visuals as the one who had ridden the first motorcycle is the 8th accused and the pillion rider is the second accused and deposed that they are SDPI-PFI activists.

45. PW32 identified accused Nos. 1, 5, 6 and 8 on seeing the CCTV visuals which were shown to him by the Investigating Officer and he deposed that these persons are SDPI/PFI activists. PW34, who is a construction worker, identified accused Nos. 4 and 11 after seeing the CCTV visuals and he would say that the 4th accused was a SDPI candidate in the Panchayath election and the 11th accused is an auto rickshaw driver.

46. PW35 who is a spray painting worker identified the 3rd and 9th accused after seeing the CCTV visuals. PW36 is a temple artist and he identified accused Nos.7 and 10 as the riders of the scooter which was coming from the Doraisir street and was proceeding towards east and both were wearing helmets. PW37, who is a painting worker, identified the 10th accused as the pillion of the Activa scooter. He also identified the 15th accused as a known person to him.

47. PW76, who is a house-boat driver, after seeing the CCTV visuals identified the 12th accused as the rider of a motorcycle and he had pointed out the 1st accused, but he could not recollect the name of one of the riders of that motorcycle. Likewise, when the 6th accused was taken to the place of recovery,

as per his confession, PW60 his immediate neighbour clearly identified him as the 6th accused because he said that he was acquainted with him for the last 10 to 18 years. So, these versions of witnesses proved the fact that the persons who reached the house of PW1 in the early morning are accused Nos.1 to 12, who are SDPI/PFI activists and holding responsible posts in the said organization.

48. Thereafter, the accused persons were arrested. Accused Nos.3 and 9 were arrested first on 28.12.2021; the 7th accused was arrested on 01.01.2022; the 1st and 6th accused were arrested on 03.01.2022; the 2nd, 10th and 12th accused were arrested on 06.01.2022; the 14th accused was arrested on 17.01.2022; the 13th accused was arrested on 24.01.2022; the 4th accused was arrested on 31.01.2022; the 11th accused was arrested on 16.02.2022; the 8th accused was arrested on 22.02.2022 and the 5th and 15th accused were arrested on 03.03.2022. Thereafter, all of them were taken into Police custody and recoveries were effected.

49. A part of investigation was conducted by PW154, the Inspector of Police, South Police Station, Alappuzha. He prepared Ext.P114 scene mahazar. He has also recovered the glass pieces of the teapoy, MO20 series. Likewise, the pieces of the head light of motorcycle which was damaged were seized by Ext.P54 mahazar and marked as MO21 series, head light pieces of

car are MO22 series, wind shield pieces are MO23 series, damaged car is MO24 and damaged motorcycle is MO25. The Scientific Officer has collected materials from the place of occurrence and those were seized, preparing inventory mahazar and the said mahazar is Ext.P144.

50. As per the order of the District Police Chief, Ext.P36(a), the Inspector of Edathua Police Station conducted inquest and that inquest report is Ext.P36. He had seen a lost tooth near the body. All these materials are produced by PW154 before the Court.

51. The samples collected from the place of occurrence by the Scientific Officer were produced before the Court, describing in property list, Ext.P393 and likewise, the samples collected by the Surgeon at the time of post mortem examination in bottles, by preparing Ext.P170 mahazar and those were produced before the Court, describing in Ext.P394 property list. The materials collected as per the certificate by Surgeon and that certificate produced before the Court describing in form 15 ie., Ext.P395.

52. When Ali Muhammed, the son of the first accused was questioned, he gave contradictory answers and thus, the vicinity and the premises of his house when searched, a Hero Honda Splendour bike with Reg.No.KL-04-J-267 was seen hiding on the western corner of the property. The number plate was found to be fake and thus, it was seized as per Ext.P37 mahazar. The correct

number was KL-4-AQ-9098 and that is MO26. The attesting witness is PW48, sister of the 1st accused. She has not supported the prosecution case. Shan is a relative of her.

53. The Fingerprint Expert and the Scientific Officer were present on the next day morning, since this discovery was made at 09.00 p.m. on 20.12.2021. So, on the next day, in the presence of Fingerprint Expert and Scientific Officer, the vehicle with No.KL-4-J-267 was examined and that was seized after preparing Ext.P146 inventory mahazar. The said number was fake and the number plate with correct number was seized from the house of the 1st accused and that is MO87.

54. Later, an information was received that a TVS Radeon motorcycle was seen idle at Ponnad-Pallimukku junction and at 08.00 p.m. on 20.12.2021, the said motorcycle was seen in front of the house of PW39 and guard was arranged for keeping the same, and on the next day, in the presence of the Scientific Assistant and Fingerprint Expert with Department Photographer, it was seized, preparing Ext.P24 mahazar. The said vehicle was produced before the Court, describing in Ext.P400 property list.

55. After conducting post mortem examination, it is felt that there is conspiracy behind the crime. Hence, Sections 120B, 118, 201 and 326 were added and a report-Ext.P401 was filed to that effect. In order to find out the

accused persons, a search was conducted in the SDPI office, near Irshad Mosque and the articles seized are MOs75 to 79. The search memo is Ext.P402 and the search list is Ext.P403.

56. Later on 29.12.2021, at 03.00 p.m., the house of the 9th accused was searched and seized MO80 to 82 and Exts. P408 to P418. Those documents were produced before the Court describing in form-15, marked as Ext.P420. The search memo is Ext.P404 and the search list is Ext.P405. These items were produced before the Court describing in property list, Ext.P406. The ration card of one Jameela Beevi was seized and that was released on Ext.P407 kaichit.

57. On 03.01.2022 at 04.40 p.m., the house of the first accused was searched. The search memo is Ext.P421 and the search list is Ext.P422. The items were produced before the Court in Ext.P423 property list. MOs 83 to 87 were recovered. There is relevance on MO85 and 86 because both are hammers. The iron handle portion of MO86 was broken from the middle portion and a wooden piece was attached to make it usable and there is a number plate MO87 which was forcibly broken and took from the board of vehicle No.KL-4-AD-2341. As mentioned, there is relevance with respect to seizure of MO85 and 86 because the weapon that was used by the first accused

is a hammer and that is MO1. So, it would show that he has practice for using these weapons prior to the incident.

58. The deposition of PW156, the Investigating Officer signifies this fact because according to him, each of the accused persons are well trained for using weapons and within a short span of time, without causing hurt to any one among them, they have inflicted maximum injury to the victim. The first accused has a case that he was not residing in the said house, but the location of the said house from which these items recovered is the very same house in his address.

59. The house of wife of third accused is at Kottayam. Her house was searched and the search list is Ext.P187. In this case, a person who was involved in the crime and who was not facing trial is one Suhail of Sheeja Manzil. While he was in judicial custody, his Police custody was obtained and confession was recorded by PW154 and he deposed that a mobile phone was handed over to one person by him and he will show that person and thus, he had shown Nazeema, wife of Salim and thus, that mobile phone was seized as per Ext.P50 seizure mahazar in the presence of PW57 and the confession is Ext.P50(a). The said mobile phone is MO34.

60. The 14th accused was taken into custody by PW154 and on the basis of his confession, the Innova car bearing Reg.No. KL-1-BA-3535 was

seized and that recovery mahazar is Ext.P.425, which was parked on the corner of the SNDP shopping complex, about 250 metres south of Medical College junction, Alappuzha. The confession extract is Ext.P425(a).

61. The depositions of some of the material witnesses throw light regarding the conspiracy that was taken place among the accused persons. PW26, who is working in a courier service used to go for *Bhajana* during Mandala season between 06.45 p.m. to 08.00 p.m. On 18.12.2021, at 08.15 p.m., when he was returning through Ambanakulangara and when he reached near Juma Masjid, he saw some persons gathered there. Their appearance would show that they are highly infuriated. All of them were SDPI activists and he saw accused Nos.1, 6, 13 and 14 were proceeding towards the house of the 14th accused. Among them, the accused persons who were not facing trial were also there, who are Sudheer, Arshad, Razi @Haris.

62. Assembling of accused Nos.3, 7, 9 and 15 at 09.00 p.m. on 08.12.2021 in front of Irshad Manzil was proved through PW23, an auto rickshaw driver. According to him, he overheard the conversation of them that *in case not retaliated, they have no existence*. PW74 had seen accused No.12 near the Advocate office of the deceased Advocate at 08.50 p.m. on 18.12.2021. The one who was along with him had long hair, later identified as the 2nd accused.

63. PW33, a saw mill employee has seen the son and brother of the 1st accused and Asif at 11.30 p.m. on 18.12.2021 and they were seen going into the house of the 14th accused. Wife of the 14th accused is a ward member of SDPI. Accused Nos.11 and 14 are SDPI-PFI activists. He felt that it is for a meeting in consequence of attack on Shan.

64. The accused persons were seen at 01.00 a.m. on 19.12.2021 by PW27, who is doing electrical works. According to him, when he heard about the attack on Shan in the night of 18.12.2021, he went to the house of his friend Kannan at Kommadi and he waited there till 01.00 a.m. in the midnight. Thereafter, he proceeded to the Medical College Hospital for lying down in the visitors' block. He was afraid of the fact that his neighbour, a SDPI leader Aji Agathara, was not in good terms with him and expected an attack on him because of the law and order situation prevailing due to the attack on Shan. That is why he remained till 01.00 a.m. in his friend's house and then proceeded to the Medical College Hospital. On the way, near the Vazhicheri bridge, he saw the SDPI activists of Mannacherry who are accused Nos.1, 2, 4, 6, 8 and 12 and he felt that they are expecting someone. On seeing them, he redirected his vehicle and went to the Medical College Hospital through the Highway.

65. PW24, an auto-rickshaw driver had seen the accused Nos.4 and 11 near a shed at Pallimukku junction and he asked them about their presence also, but not answered. It was at 01.30 a.m. on 19.12.2021.

66. The other conspiracy was established through the testimony of PW25, who is a porter in the railway station, Alappuzha. He saw the third accused at that place who had negotiations with someone who was sitting in a car and the time was 01.30 a.m. Along with these facts, with the evidence of call detail records of the accused persons, the prosecution tried to establish that all these persons were conspiring and had close contact through the mobile phone and the tower locations would clearly prove the fact that there was an earlier preparation in the midnight and as it was felt that the time was not suitable, they returned and again they proceeded to the place and committed the offence.

67. The call detail records of the accused persons were collected from the service providers. The call detail records of accused persons marked through PW155, the Nodal Officer of Bharti Airtel, Kerala Circle as Exts. P175(A) to 175(Z). Accused Nos.2, 6, 10, 11 and 12 have two numbers each.

68. Through PW139, the State Nodal Officer of Reliance Jio Infocom, the call details of each accused are marked as Exts.P176(B1) to Ext.176(P). PW140 is the Alternate Nodal Officer of BSNL Kerala Circle, through whom,

the call detail records of the accused persons marked as Exts.P177(A) to Ext.P177(N).

69. PW96 is the Nodal Officer of Vodafone India Limited. The call details including the KYC application form of the accused persons were marked as Ext.P153(A), 154 and 155. Exts.156 to 168 are also call details records of the accused persons. The call detail records including the tower location of the respective customer were collected. PW149, CPO, Alappuzha North Police Station has prepared a chart-Ext.P268, route map Exts.P269 and 270, after verifying the call detail records.

70. The CCTV visuals from 'Kensa Fancy Store' shows that the accused persons entered into the visual of camera at 6:09:54 and exited at 6:09:59. In the camera at 'Joy Villa', the entry was at 6:10:36 and exit at 06:10:43. In the camera of the house of Manoj, the entry was at 6:11:48 and the exit at 06:11:55. In the camera of Mohiyuddin Juma Mazjid at Chathanad, the entry time is 6:16:36 and the exit is at 6:16:47. Then, in the camera of 'Bright Auto Electricals', the entry was at 6:16:58 and the exit at 6:17:05. At 'N.S. Metals', the entry was at 6:17:28 and the exit at 6:17:38. At 'Thengummoottil Paper Mart', the entry was at 6:18:30 and the exit at 6:18:40. These are the visuals from camera No.1.

71. In 'PMR Enterprises', there were other cameras and it show the entry time as 06:21:29 and exit at 06:32:16. In its camera, five entry is at 6:21:29 and exit at 6:21:59. In camera 7, the entry is at 6:21:28 and exit is 6:21:57. In 'Real Computers', the entry is at 6:31:13 and exit at 6:32:26. In the other camera of 'Thengummottil Paper Marts', the camera shows entry time at 6:32:52 and exit at 6:33:04. Then, they have entered into the premises of the place of occurrence and the exact time of incident is 06.33 a.m. and few more seconds.

72. Their return after the crime can be seen through the camera in 'Thengummooottil Paper Mart'. The entry time is 6:36:16 and the exit at 6:36:28. So, the difference between 6:33:04 and 6:36:16 can be considered as the time that was taken by the accused persons to reach the place of occurrence, entered into the house, committed the offence and returned through the Vellakinar road. So, three minutes 12 seconds they have taken for the said acts.

73. Their return can be seen in the camera of 'N.S. Metals' as 6:37:00 and exit at 6:37:04. In 'Bright Auto Electricals', camera time 6:37:23 shows the entry and exit at 6:37:34. At Mohiyuddin Juma Mazjid, the entry time is 6:38:32 and exit at 6:38:38. From the camera of house of Manoj, entry time is 6:41:38 and exit at 6:41:43. At the house of Varghese at 'Joy Villa', the entry

is at 6:44:16 and exit at 6:44:20. In Kensa Fancy Store camera shows entry at 6:46:06 and exit at 6:46:20.

74. So, these route maps show that from Mannancherry to Alappuzha, four motorcycles used by eight persons to locate the house of Advocate at first, thereafter, they have not returned on the same way, but through another way they reached at Vellakinar, near 'PMR Enterprises', a scrap shop and waited there for other accused persons who were coming from Alappuzha. The route map is marked as Ext.P269. The evidence of PW21 an auto-rickshaw driver proves the fact that accused Nos.3 and 9 were in a mood of fidget or moving hurriedly to reach Ambalappuzha. Since he has other duty, he did not take them in the auto-rickshaw. It was at 08.30 a.m. on 19.12.2021. He felt suspicion as they are SDPI activists.

75. Apart from this, the call detail records along with tower location details of the accused persons would reveal that they had close contact with each other. According to the defence, these accused persons are closely acquainted with each other and they had conversations even prior to the time of attack on Shan. The said version cannot be taken as a believable version because the attack on Shan was near Mannancherry. The crime was registered by the Mannancherry Police and the crime number is 621/2021. The exact

time of attack on Shan, according to PW56 was at 7.27 p.m. on 18.12.2021, even though the FIR shows the time as 08.30 p.m.

76. The address of the accused persons show that accused Nos.1, 2, 5, 6, 8, 12, 13 and 14 belong to Mannancherry Panchayath and accused Nos.3, 4, 7, 9, 10 and 15 are of different wards of Alappuzha Municipality. Accused No.11 belongs to Komalapuram in Aryad Panchayath. The average distance between these places is nearly 7 Kms. As per the route map prepared by the Investigating Officer, the accused persons have travelled at a distance of 7.5 Kms so as to commit the offences.

77. In this background, the tower locations of the accused persons have much relevance. PW26 proved the fact that he had seen accused Nos.1, 6, 13 and 14 at 08.00 p.m. on 18.12.2021 at the terrace of the house of the 14th accused. Ext.P177(D, E, F), CDR reports show that the 3rd accused had a call from 4th accused at 08.16 p.m. The tower location details of the 1st accused, Ext.P176 (B1, B2, B3) and that of the second accused-Exts.P175(A,B); that of 5th accused – Ext.P176; 12th accused-Ext.P175(Q,R); 13th accused – Ext.P176(U,V); 14th accused – Ext.P175 (W,X) show that at the relevant time ie., at 08.16 p.m., their location is in the premises of house of the 14th accused at Ambanakulangara.

78. The testimony of PW74 proved the fact that he had seen accused Nos.2 and 12 on a motorcycle near the Sathram building, at around 08.50 p.m. The 12th accused had a call to the 5th accused at that time. The mobile tower location of the 12th accused at that time corroborates the said fact and that is Ext.P175(s)(t) call details.

79. The other assembly was near Irshad Mosque at Vellakinar and had a conspiracy by accused Nos.3, 7, 9, 10 and 15, as per the prosecution, and witness No.23 supported the said version by saying that he had seen accused Nos. 3, 7, 9 and 15 near the Irshad Mosque at 09.40 p.m. in a suspicious manner. The tower location details of the third accused, Ext.P177(B) and that of the 9th accused, Ext.P176(I) corroborate the said fact. Accused Nos.1, 3, 13 and 14 had conspiracy at the residence of PW118 at about 11.30 p.m. on 18.12.2021. The house is a vacant one. Their call detail records proved that their location at the relevant time was at Mannancherry.

80. At around 01.00 a.m. on 19.12.2021, accused Nos.1, 2, 4 to 6, 8, 11 and 12 reached near the Alappuzha Municipal market, a place which is near the house of the Advocate. The 3rd accused informed the 5th accused through mobile phone that the circumstances were not favourable, hence they returned. PW27, who was apprehending an attack on him by his neighbour, a SDPI activist who is not in terms with him, was concealed himself in his

friend's house at Kommadi and after that, when he was proceeding to take shelter in the resting place of Medical College Hospital for visitors, he had seen accused Nos.1, 2, 4, 6, 8 and 12 near Vazhicheri junction. So, he deviated his route and proceeded through the National Highway. The call detail records of the third accused, Ext.P177(B) proves that he made a call to the 5th accused at 01.03 a.m. and the tower location also corroborates the said fact.

81. Moreover, PW20, an auto rickshaw driver who was expecting a hartal on the next day, since SDPI leader was attacked, he had plied his auto rickshaw throughout night the maximum time and in the midnight at 01.00 a.m. on 19.12.2021, he had seen accused Nos. 9 and 15 near Irshad mosque.

82. Thereafter, at 01.30 in the midnight of 19.12.2021 ie., in the late night of 18.12.2021 and early morning of 19.12.2021, PW24, another auto rickshaw driver saw accused Nos.4 and 11 in front of a shed at Pallimukku junction and there were three or four persons also and he felt it as a conspiracy because the said shed was used as the office of PFI.

83. As their first attempt was not successful, there was another conspiracy by accused Nos. 3, 13, 14 and two other persons at the railway station road, Alappuzha to commit the murder in the morning itself. That meeting was at 01.30 a.m. The decision of them was communicated by accused Nos.3 and 13 to the 1st accused. The tower location chart,

Ext.P175(u), P175(v) of the 13 accused proves that at 01.37 a.m., his mobile phone was used under the Alappuzha Railway Station tower.

84. Likewise, the tower location of the 14th accused at 01.26 a.m. was also same and that is proved by Ext.P175 (w), P175(x). This fact is corroborated through the version of the railway parcel porter, PW25, who saw the third accused on a scooter and was talking to a person in an Innova car with bulgan beard. The tower location of the third accused at 01.40 a.m. ie. Ext.P177(b) in the call detail records proves that he had contact with the first accused at that time and the location is Alappuzha railway station tower. The tower location chart Ext.P175(w), (x) of the 14th accused also shows that at 01.26 a.m., his tower location is Alappuzha railway station. The call detail records Ext.P177(b) of the third accused proves that he had a call to the 1st accused at 01.40 a.m.

85. There were continuous calls from the 13th accused to the first accused at 01.37 a.m., 01.38 a.m., 01.48 a.m. and 05.34 a.m. Likewise, the call details of the third accused would further show that he had continuous contact with the 1st accused at 01.40 a.m., 03.25 a.m., 05.28 a.m., 05.35 a.m., 06.06 a.m., 06.19 a.m. and 06.29 a.m. Further, the 3rd accused had contact with the 1st accused as per Ext.P177(B) call detail records which would show that after 01.30 a.m., the 3rd accused made seven calls to the 1st accused till the

time of occurrence. He had also made three calls to the 5th accused. Accused No.13 had four calls to the 1st accused.

86. So, all these facts corroborate the version of prosecution that at the relevant time ie., after 07.27 p.m. on 18.12.2021, the accused persons were in close contact and their tower location has changed as alleged by the prosecution. The change of their location could be proved by the mobile tower location as well the version of independent witnesses. The defence case is that these accused persons were known to each other and all are active PFI leaders. So, as a consequence of attack on Shan, they might have made contact for the cortege and funeral at 08.00 a.m. But, the attack on Shan took place at Mannancherry. He belonged to that place. If that be so, there is no need for these accused persons to reach the railway station road as well as Vellakinar junction at Alappuzha which is nearly 7 Kms. away from the said place.

87. The learned defence counsel has relied upon **2017(2) KHC 669, Asokan v. State of Kerala**, in which it is held that it is the burden of the prosecution to prove criminal conspiracy by adducing affirmative evidence. The prosecution has to prove either by direct evidence or by substantial evidence or by both that there is an agreement of minds to do an illegal act by the accused persons.

88. In **Asokan v. State of Kerala, 2017(2) KHC 669**, the decision of the Hon'ble Supreme Court in **Noor Mohd. Yusuf v. State of Maharashtra, 1970(1) SCC 696** has been relied upon and it is held:

“Criminal conspiracy postulates an agreement between two or more persons to do, or caused to be done, an illegal act or an act which is not illegal, by illegal means. It differs from other offences in that mere agreement is made and offence even if no step is taken to carry out that abetment the substantive offence of criminal conspiracy with incitement and amplitude than abetment by conspiracy as contemplated by S.107 IPC. A conspiracy from its very nature is generally hatched in secret. It is therefore, extremely rare that direct evidence in proof of conspiracy can be forthcoming from wholly, disinterested quarters or from utter strangers. But, like other offences, criminal conspiracy can be proved by circumstantial evidence. In deed, in most cases proof of conspiracy is largely inferential though the inference must be founded on solid facts. The surrounding circumstances and antecedent and subsequent conduct, among other facts, constitute relevant material”.

89. Apart from these, the occurrence witnesses, PWs1, 2 and 8 identified the accused persons. PW1 could identify all the 12 accused persons

clearly. PW2 could identify only the eight persons and the one who had guarded the kitchen door with a sword. PW8, the child identified the first eight accused persons. They have also identified the weapons MOs1 to 9 series and MOs10 to 18 series, the clothes, belt and foot wears of some of the accused. There was also a case that PW2 was practicing in Alappuzha Court. As part of committal proceedings, the accused were produced in the Magistrate Court, Alappuzha. The testimony of PW8 during cross-examination would reveal that accused persons used to cover their face with towel. The accused persons are very alert about the said fact and till the identification by the material witnesses, they were hiding their faces the maximum.

90. The said identification was strongly challenged by the defence by saying that if the CCTV visuals are believed, convincing that the accused persons were riding on the motorcycles, the time gap that has been taken by them for the commission of the offence must be nearly three minutes, so the argument was that it might not be possible for these witnesses to identify all these persons. They have been tutored by showing the photographs of the accused persons and there is further case that the photos of the accused persons have taken from online media.

91. The learned Special Public Prosecutor has relied upon **Shahaja @ Shahajan Ismail Mohd. Shaikh V State of Maharashtra 2022 (4) KLJ 54** to

strengthen his argument with respect to the credibility of the evidence tendered by the ocular witnesses ie., PW1, 2 and 8. In the said decision, it is held:

The appreciation of ocular evidence is a hard task. There is no fixed or straight-jacket formula for appreciation of the ocular evidence. The judicially evolved principles for appreciation of ocular evidence in a criminal case can be enumerated as under:

I. While appreciating the evidence of a witness, the approach must be whether the evidence of the witness read as a whole appears to have a ring of truth. Once that impression is formed, it is undoubtedly necessary for the Court to scrutinize the evidence more particularly keeping in view the deficiencies, drawbacks and infirmities pointed out in the evidence as a whole and evaluate them to find out whether it is against the general tenor of the evidence given by the witness and whether the earlier evaluation of the evidence is shaken as to render it unworthy of belief.

II. If the Court before whom the witness gives evidence had the opportunity to form the opinion about the general tenor of evidence given by the witness, the appellate court which had not this benefit will have to attach due weight to the appreciation of evidence by the trial court and unless there are reasons weighty and formidable it would

not be proper to reject the evidence on the ground of minor variations or infirmities in the matter of trivial details.

III. When eye-witness is examined at length it is quite possible for him to make some discrepancies. But courts should bear in mind that it is only when discrepancies in the evidence of a witness are so incompatible with the credibility of his version that the court is justified in jettisoning his evidence.

IV. Minor discrepancies on trivial matters not touching the core of the case, hyper technical approach by taking sentences torn out of context here or there from the evidence, attaching importance to some technical error committed by the investigating officer not going to the root of the matter would not ordinarily permit rejection of the evidence as a whole.

V. Too serious a view to be adopted on mere variations falling in the narration of an incident (either as between the evidence of two witnesses or as between two statements of the same witness) is an unrealistic approach for judicial scrutiny.

VI. By and large a witness cannot be expected to possess a photographic memory and to recall the details of an incident. It is not as if a video tape is replayed on the mental screen.

VII. Ordinarily it so happens that a witness is overtaken

by events. The witness could not have anticipated the occurrence which so often has an element of surprise. The mental faculties therefore cannot be expected to be attuned to absorb the details.

VIII. The powers of observation differ from person to person. What one may notice, another may not. An object or movement might emboss its image on one person's mind whereas it might go unnoticed on the part of another.

IX. By and large people cannot accurately recall a conversation and reproduce the very words used by them or heard by them. They can only recall the main purport of the conversation. It is unrealistic to expect a witness to be a human tape recorder.

X. In regard to exact time of an incident, or the time duration of an occurrence, usually, people make their estimates by guess work on the spur of the moment at the time of interrogation. And one cannot expect people to make a very precise or reliable estimates in such matters. Again, it depends on the time-sense of individuals which varies from person to person.

XI. Ordinarily a witness cannot be expected to recall accurately the sequence of events which take place in rapid succession or in a short time span. A witness is liable to get confused, or mixed up when interrogated later on.

XII. A witness, though wholly truthful, is liable to be

overawed by the court atmosphere and the piercing cross examination by counsel and out of nervousness mix up facts, get confused regarding sequence of events, or fill up details from imagination on the spur of the moment. The subconscious mind of the witness sometimes so operates on account of the fear of looking foolish or being disbelieved though the witness is giving a truthful and honest account of the occurrence witnessed by him.

XIII. A former statement though seemingly inconsistent with the evidence need to necessarily be sufficient to amount to contradiction. Unless the former statement has the potency to discredit the later statement, even if the later statement is at variance with the former to some extent it would not be helpful to contradict that witness. [See Bharwada Bhoginbhai Hirjibhai v. State of Gujrat, 1983 Cri LJ 1096: AIR 1983 SC 753, Leela Ram v. State of Haryana, AIR 1999 SC 3717, and Tahsildar Singh v. State of UP, AIR 1959 SC 1012]

28. To put it simply, in assessing the value of the evidence of the eye-witnesses, two principal considerations are whether, in the circumstances of the case, it is possible to believe their presence at the scene of occurrence or in such situations as would make it possible for them to witness the facts deposed to by them and secondly, whether there is anything inherently improbable or unreliable in

their evidence. In respect of both these considerations, the circumstances either elicited from those witnesses themselves or established by other evidence tending to improbabilise their presence or to discredit the veracity of their statements, will have a bearing upon the value which a Court would attach to their evidence”.

92. PW156, the Investigating Officer admitted that the photographs of the accused persons have been taken after their arrest. The accused persons have no case that their photos were taken on different angles by the Investigating Officer. There is no further case that the photos of the accused persons were available in the social media after their arrest.

93. The identification of accused persons by PW1 in the Court was seriously disputed. PW1 is a 72 year old lady and the dock in the Court hall which is a spacious one is nearly 10 metres away from the witness box. She wanted to see them near. When the Court made an attempt to call each of them by their turn in the line they were standing in the dock without mentioning their names, it was strongly disputed and the demand of all the learned defence counsel was that all the accused persons should be called near the witness box and all of them should be allowed to stand before the witness and from among them, the accused persons should be identified by PW1.

94. But, the apprehension expressed by PW1 at that time was that she was under fear and if all these persons in a group approaches her, she may loss her conscience. So, the course adopted by this Court was to allow the accused persons to select their own turn and to come near the witness box. The witnesses were unable to identify the accused persons by their names or rank in the charge-sheet. Moreover, all the accused were wearing similar white dress.

95. When each of the accused came and stood near the witness box, PW1 took time to identify each of them. She wanted the accused persons to turn their face on either side and the entire process of identification of these 12 accused persons took 45 minutes. When each of these accused was either identified or not identified, the Court has asked their name and thus, their identity was revealed. There was mistake when she identified the accused who was seen on the previous night in front of her house at 10.30 p.m. It cannot be considered as fatal since she never had an apprehension that these persons will come back with weapons.

96. As already discussed, the request of the accused persons was to parade them in front of the witness box as cluster and they wanted PW1 to identify them.

97. Regarding identification of the accused persons in the dock, the learned defence counsel has relied upon the following decisions:- In **ILR 2023(4) Kerala 83, Pauly v. State of Kerala**, it is held that *the circumstances wherein the TIP shall be insisted as corroborative piece of evidence to act upon identification of accused in the dock by the occurrence witnesses and that has been enumerated.*

98. **2023(7) Supreme Court 143, Mohd. Rijwan v. State of Haryana** is with respect to the test identification parade and the manner in which it is to be conducted that the suspects should be paraded in the midst of several persons having similar appearances.

99. In **2022 KHC 72, Thadiyantevida Nazeer @Ummer Haji and Other v. State of Kerala and Others**, it is held in paragraph No.77 that *a credible identification would be, by pointing out the specific person/accused from among those standing in the dock either by their position, their dress or any other peculiar features.*

100. In **2002 KHC 969, Mohammed v. State of Kerala**, is held that *specific endorsement by Judge that accused in the dock was identified by witness or that answer to identification pointed towards the accused or some other indication towards the accused must have been made in the depositions.*

101. The learned counsel has relied upon 2005 KHC 937, **Acharam Parambathu Pradeepan v. State of Kerala**; (2004)11 Supreme Court Cases 346 N.J. **Suraj v. State represented by Inspector of Police**; 1998 KHC 971, **Shaikh Umar Ahmed Shaikh and Another v. State of Maharashtra**; 1981 KHC 739, **Wakil Singh and Others v. State of Bihar**; 1955 KHC 330, **Ramkishan Mithanlal Sharma v. State of Bombay**; 2007(1) KHC 487, **Amitsingh Bhikamsingh Thakur v. State of Maharashtra**; 2007 KHC 3702, **Ravi @ Ravichandran v. State Rep. by Inspector of Police**; and 2010 KHC 4060, **Musheer Khan @Badshah Khan and Another v. State of Madhya Pradesh**; in which, the precautions that are to be taken for conducting the test identification parade have been narrated.

102. Identification of these accused persons by PW1 was challenged by them before the Hon'ble High Court of Kerala and the Hon'ble High Court has held in 2023(4)KHC 345, **Naisam v. S.H.O., Alappuzha Police Station** that *the procedure adopted by this Court is correct.*

103. There was allegation against the Investigating Officer by contending that during the period when the accused persons were in custody, the witnesses were summoned to the Police Station and they were made to identify the weapons, clothes etc., which were recovered. So, the argument

was that PW156 has taken this opportunity for showing the accused persons to the witnesses.

104. In this case, the accused persons are not supposed to be laymen. They are very much aware of their rights. Even in the court, till their identification, they were hiding their face at the maximum. They were coming into the Court by covering their face with mask and towel and all of them were in similar attire such as white dhoti and white full sleeve long kurta (jubba). When the accused persons were asked to remove their mask, which is almost covering their face upto eyes, after removing the towel, they were very much reluctant to remove the same. But, because of the strict instruction by the Court, they had to remove the mask and come near the witness box.

105. Yet another fact to be considered is that there was drastic change in external appearance of the accused persons when they have been produced before the Court when compared with their appearance at the time of commission of the offence. One of the accused persons ie., the 2nd accused had long hairs and now, none of the accused persons has no long hairs. Likewise, at some point of time, the accused persons' appearance would be very thick and sometimes, they seemed to be very thin. Sometimes, they will be growing beard and when the witnesses were being examined, their appearances have been changed day by day. So, in such a situation, it cannot be said that the

accused persons were identified by the witnesses by showing them in the Police Station.

106. The test identification parade conducted by PW86, PW144 and PW145 also very seriously disputed and it is according to the defence is a farce. The test identification parade reports are Exts.P2, P104, P260 and P261. In this background, the substantive law on the point is that as per Section 9 of the Evidence Act, there is no compulsion on the prosecution to conduct the test identification parade, but, in order to ascertain certain facts, the same is being conducted. *The first is to enable the witnesses to satisfy themselves that the accused whom they suspect is really the one who was seen by them in connection with the crime. Second, to satisfy the investigating authorities that the suspect is the real person whom the witnesses had seen in connection with the said occurrence. Third, to test the witnesses' memory based on first impression and enable the prosecution to decide whether all or any of them could be cited as eye witnesses to the crime.*

107. There was serious dispute that only after getting the accused persons in custody, the test identification parade was conducted. On verification of the records, it would reveal that the first arrest in this case was on 28.12.2021. There was request from the side of the Investigating Officer immediately after the arrest for conducting the test identification parade

before the Chief Judicial Magistrate. Ext.P103(a) dated 25.02.2022 is the request by PW156 to conduct the test identification parade of the 8th accused, who was arrested on 22.02.2022.

108. On going through the report, it can be seen that it was during the Covid season, the test identification parade was conducted. When the JMFC-II, Cherthala was directed to conduct the test identification parade, he turned to be Covid positive. Hence, as per the order, Ext.P666, JMFC, Ramankary was authorized to conduct the parade. Likewise, as per the version of PW145, the 4th accused was in quarantine, so again it was prolonged.

109. The test identification parade was conducted at the Borstal School in the District Jail premises at Kakkanad. PW86, JMFC-I, Cherthala would depose that as it was Covid season, the age limitation for the inmates was not there, but still there was limitation for choosing the non-suspects among the inmates. It has been pointed out during the cross-examination that the accused who had beard when paraded with non-suspects, some of them were having no beards. Likewise, the very same non-suspects were repeatedly paraded for the identification of the other accused persons who had not very similar appearance. So, in this situation, it is only to be found that the circumstances were beyond control and thus, there occurred the delay and I do not find that it is fatal to the prosecution.

110. Yet another fact to be considered is that the accused persons were taken in custody and recoveries were effected. After that, the parade was conducted. So, the Investigating Officer has taken maximum effort to cover the face of the accused persons and that shows that the process of identification parade was conducted in a fool-proof manner. In case the accused is obtained in Police custody even before the holding of test identification parade, what is required by the Investigating Officer is to take precautions to ensure that the eyewitnesses have no chance or opportunity in any manner to see the accused while they are in custody. All the witnesses to the recovery of weapons, ash, vehicles as well as clothes categorically deposed that each accused along with the Investigating Officer has covered his face fully with black cloth.

111. In **2000 KHC 904, State of Maharashtra v. Suresh**, the Hon'ble Supreme Court found that *when the suspect was permitted to stand anywhere among seven persons and the witnesses were then asked to identify the person whom they saw on the crucial day, the test identification parade was conducted in a reasonably fool proof manner.*

112. The Hon'ble Supreme Court has laid down certain guidelines in **Gireesan Nair v. State of Kerala, 2022 KHC 7199** that, the learned defence counsel were very much harping upon the rules framed by State of Kerala in

the year 1958. But, it is to be found that much time has elapsed since then and there are so many decisions have come which have been laying down the procedures that are to be adopted. So, taking into account of these facts, I am of the view that there was no chance for the occurrence witnesses, especially all of them are ladies, the mother, wife and a small child might not have any occasion to see them before conducting the test identification parade. There might be chance for publishing photographs of accused in the media, but it does not affect the value of identification parade because in a State like Kerala, the enthusiasm of journalists cannot be controlled.

113. In 1994 KHC 2386, **Sajeevan v. State of Kerala**, the Hon'ble Supreme Court held:

“Investigating agency has, normally, no control over such journalistic adventures, hence such publication cannot be prevented by the Police in a society where freedom of press is guaranteed. It has become very usual that in sensational criminal cases, newspapers would display enthusiasm to publish photos of different facets including photos of the accused. It is not necessary that witnesses should see such photos in the newspapers. Even if a witness happens to see the photo of a particular accused in a newspaper, we are not inclined to sideline his evidence regarding identification on that score alone. It must be

remembered that Kerala is a State where there is proliferation of newspapers. How, can a witness be made responsible if newspapers publish the photograph of the accused? If we are to lay down a proposition that identification evidence of a witness is liable to be thrown overboard in cases where newspapers published the photo of the accused, a good number of witnesses in Kerala would be exposed to the peril of being disbelieved on account of the journalistic adventure and high density of print media in this State. Of course, it is open to the Court to decide whether a witness's evidence regarding identification was really influenced by such publication”.

114. In AIR 1983 SC 2618, *Girija Shankar Misra v. State of U.P.*, it was held: *“The test identification parade is only a step in investigation but, it is the identification in the court that is evidence”*. In 2002(3) SCC 510, *Ayyub v. State*, it was held: *“The substantive evidence of a witness is his evidence in Court and the test identification parade only provides corroborative evidence and not substantive evidence”*.

115. In 1972 (4) SCC 773, *Sk. Hasib v. State of Bihar*, there was a delay of three months in conducting the test identification parade. The court held that it was not fatal. In 2003(3) SCC 569, *Anil Kumar v. State of U.P.*,

there was a delay of 47 days in conducting the test identification parade after arrest of accused. The guidelines for test identification parade has been laid down in the recent decision in **Gireesan Nair v. State of Kerala, 2022 KHC 7199**.

116. The further argument that photographs of the accused persons have been shown to the witnesses cannot be considered as a sustainable argument because it is the well settled position of law that identification of a person by photograph is difficult, especially in criminal cases. Srikrishna Murti in his book *Police Diaries* (7th edition) at page No.978 under the heading ‘Identification’ states that *to identify a person from a photograph, however, is not easy as is generally believed*. He further states that *photograph should have been taken from the front or at least the accused looking at the camera for it to be of any use in identification*. The pertinent aspect to be considered is whether the evidence given by the witnesses inspires confidence to the Court.

117. PWs1, 2 and 8 have never seen these accused persons in their life before this incident. They were not able to identify them by their names either. But, they witnessed the brutal incident. It is to be noted that some of the dresses worn by the accused, shoes of some of the accused persons and the nature of belt used by one of them are even identified by the witnesses. It is true that in the first statement of PW1 ie., Ext.P1 F.I. Statement, not much

details have been given, but she could clearly narrate the material particulars after getting a time for relaxation. The mental trauma they have undergone is beyond imagination. So, it is not possible for these persons to clearly narrate each and every incident immediately after the incident.

118. The learned defence counsel has relied upon **2011 KHC 4373, Kuldip Yadav and Others v. State of Bihar** and has canvassed the point that the version by the eyewitnesses who were also interested witnesses on account of their relationship with the deceased and being inimically deposed against the accused persons highly exaggerated. They have also relied upon the decision in **Rambilas v. State of M.P., 1997 KHC 1735** to point out the fact that the evidence of eyewitnesses is just like a parrot, telling about what is taught and the claim of these eye-witnesses is unbelievable. Another decision ie., **2012 KHC 25, Golden Satheesan @Satheesan and Others v. State of Kerala** has relied upon for pointing out that the testimony of a highly interested, inimical, partisan and tutored witness describing the occurrence with meticulous details in a parrot-like manner makes the evidence suspicious.

119. That argument cannot be found to be sustainable in view of the fact that none of the accused persons were known to these witnesses and they were seeing these persons first in their lifetime. So, there is no question of

enmity towards these accused persons by the occurrence witnesses, who are close relatives.

120. As part of the investigation, after the occurrence when there was effort for finding out the accused persons, for which, Police Officials were sent to search the places where these accused persons shall be usually seen. Apart from the official witnesses, the local witnesses also deposed before the Court that after the incident, the accused persons were not seen.

121. First of that kind was given by PW30 and he would say that after the attack on the Advocate, accused Nos.4 and 11 were not seen in the locality and he identified them before the Court. The 4th accused is a known person in the locality because he was a candidate in the Panchayath election and the 11th accused was an auto rickshaw driver.

122. PW38, a welding worker would say that Sajeer, an accused in the crime was not seen in the locality, after the murder of Advocate. He was staying in a rented building in his neighbourhood and was doing fish vending in his CT 110 Bajaj red motorcycle. PW50 is a Senior Civil Police Officer in the Telecommunication Wing of Kerala Police and according to him, the 5th accused was residing on rent in his family building adjacent to his building and after the murder of Advocate, he was not seen.

123. PW61 is an auto-rickshaw driver residing at Chudukadu. He deposed that after the murder of Advocate, accused Nos.3 and 9 were not seen. PW67 is a tailor doing work in the rented building of the father's brother of the 4th accused. According to him, after the death of Shan, he never saw the 4th accused.

124. PW111 is the Sub Inspector of Police, Alappuzha South Police Station. He had enquired about the accused persons and reported that accused Nos.3 and 9 were not available in the locality of their house or premises, after the murder of the Advocate and that report is Ext.P200. He has further reported that accused Nos.7 and 10 were also not available at their house or premises or in the locality after the murder of Advocate and that report is Ext.P201.

125. PW113 is the Principal Sub Inspector of Mannancherry Police Station. He searched the whereabouts of accused Nos.5, 8 and 11 in their houses and the nearby places and could not find them on 05.01.2022 and that report is Ext.P208. He again searched for them on 16.01.2022, 31.01.2022 and 10.02.2022 and those reports are Exts.P209, 210 and 211 respectively.

126. The absconding of accused persons after arrest has been considered by the Hon'ble Supreme Court in **2019(14) SCC 441, Bhagwat v. State of**

Maharashtra. It is held therein that *the conduct of absconding for approximately three months from the date of occurrence till the said persons were taken into custody was contrary to normal human behaviour and belies his claim of innocence.* The said decision has already been considered in AIR 1978 SC 76, Kartarey and Others v. State of U.P. It is held therein that *to be an absconder in the eye of law, it is not necessary that a person should have run away from his home, it is sufficient if he hides himself to evade the process of law even if the hiding place be his own home.*

127. The defence have set up an argument that it is not humanly possible for identifying the clothes, shoes or belt worn by the accused, apart from their face, within a short span of nearly three minutes. To the said argument, it is only to be kept in mind that what is captured in the eyes of the witnesses would not be faded throughout their life. When eight persons are repeatedly using their respective weapons to the victim, who is totally unable to resist any of the attack, what is that is captured in the eyes of the witnesses would be there in their mind.

128. At some point of time, they might have been seeing the back of the accused persons when they were turning for giving way to the other accused persons to attack. So, it is quite natural that what has been trapped in the

vision of the eyes would not fade throughout their life. It is to be found that these accused persons have been seen by the witnesses first in their lifetime and they would not tell lie before the court so as to penalise any person other than the one who had actually done these offences.

129. The evidence of PW2 would further show that she was trying to console her child with much difficulty as she was only 11 years and with much pain, the child narrated the incident, who was even recalled and re-cross-examined by the learned defence counsel. So, I am of the view that even though the photographs of the accused persons have been taken by the Investigating Officer, the evidence given by the occurrence witnesses who are the close relatives is believable and can be relied upon in this case.

130. An argument advanced was that at first in point of time, PW1 and PW9 have not stated anything regarding the presence of PW8 in the house. The time of incident is 06.33 in the early morning and the front door alone was opened in the house. The accused persons barged into the room through the front door and the door of the kitchen was closed. For a single moment it cannot be believed that the child was not there because such a small child would not be able to run away from the scene when her father had been brutally attacked and the mother and grandmother were craving for help with their maximum voice and crying aloud. So, there is no chance for the child to go

out of the house. Hence, the narration of the incident by the child also inspires confidence upon the Court and it is believable.

131. Challenging the credibility of the evidence tendered by child witness, the learned defence counsel has relied upon **ILR 2023 (4) Kerala 899, Santhosh v. State of Kerala.** In **2023(5) KLT SN (C.No.7) SC, Pradeep v. State of Haryana** regarding the evidence of the child and it is held that *scrutiny of evidence of a child witness is required to be made by the Court with care and caution. It is also the duty of the Judicial Officer to ask preliminary questions to the child witness with a view to ascertain whether the minor can understand the questions put to him and is in a position to give rational answers.*

132. The learned Special Public Prosecutor has relied upon **2019 CrL.L.J.3072, Tomy P.J. v. State of Kerala**, in paragraph No.10 of the decision, it is held :

“The evidence of PW1 in this case was spontaneous and with confidence. His intelligence was tested by the learned trial Judge and he was found to be fit enough to testify. The deposition of a child may require corroboration. But in case the deposition inspires the confidence of the Court and there is no embellishment or improvement therein, the Court may rely upon its evidence. In 2011(4)SCC 786, State of Madhya

Pradesh v. Ramesh, it is held that PW1 has in his statement categorically stated about his father inflicting a blow on his mother with MO1. His evidence remains unshaken in cross-examination. A child, who see the traumatic incident of his mother being attacked by his father or anyone else, would not be able to forget such an incident and we cannot believe that his testimony is just an imagination of a child”.

133. In this case, the Scientific Officer, PW95 has collected blood stains from the place of occurrence and also from the vehicles which were recovered on the basis of the confession given by the accused persons. The vehicles those were recovered on the basis of confession are MOs26 to 31. There were blood stains on the motorcycles as well as scooters. Blood stain was also seen kept in the boot space of Activa scooter KL-04-AM-7048, MO30. As per Ext.P653, the scientific examination report from Forensic Science Laboratory, blood was detected from the right silencer of Hero bike KL-04-J-267.

134. In fact, this motorcycle was discovered on the basis of the confession given by the son of the first accused as per Ext.P37 mahazar. The said number of the vehicle ie. KL-04-J-267 (MO28) was found to be a fake one. There were blood stains in the grab handle, rear seat cover, right handle cover and left rear crash guard. In Ext.P653, item Nos.1 and 2 are blood stains taken from the scene of occurrence and it is of the victim Advocate and his blood

group is 'O'. After the examination, the blood stains found on the right silencer, grab handle, rear seat cover and right handle cover of the said motorcycle were found to be of same blood group. But, the group of blood stain seen on the left crash guard could not be identified.

135. Item No.13 in the said list is the blood stain collected from the left crash guard of TVS bike KL-04-AR-4990, MO27. There was also blood stain in the left body cover of motorcycle KL-04-Z-7216 and left handle of the said bike had blood stains and that was also detected in the examination. Item No.23 in the said list was the blood stain from the left body cover of scooter KL-04-AM-7048, MO30. It was detected as blood of 'O' group and this very same blood group was seen in item Nos.32 to 36, the clothes over the body of deceased Advocate. Item No.27 is the blood stain from the surface of Physical Education Guide kept in the boot space of Activa scooter KL-04-AM-7048, MO30. Item No.29 is the blood stain from the soil collected from the foot board.

136. Item 62 in the list is the soil collected from the foot board of scooter KL-04-AK-7167, MO31 and blood was detected in it. Item No.68 is stains from left and right body cover, left foot rest, grab handle and seat cover of motorcycle KL-04-AR-5285, MO29 and blood was detected in those items. Item No.97 is the stains collected from right crash guard, silencer cover, left

rear extra carrier of Bajaj 110 Black KL-04-AQ-9098, MO26 and blood was detected in it.

137. Item No.82 is old rusted metallic sword and item No.106 is one rusted metallic axe with metallic handle. Blood was detected in these items. So, these facts would invariably prove the fact that the motorcycles which were recovered on the basis of the confession of the persons who are involved in this crime had blood stains and in two of the motorcycles, the blood stains are found to be identical with the blood group of the Advocate.

138. There was an argument that there was no blood stains on the cloths or weapons of the accused persons. The said argument is disproved by proving Ext.P653 showing that item Nos.82 and 106 contain blood stains which are the weapons recovered on the basis of the confessions of the accused persons. The DNA profiling shows that items 8, 9, 10, 11, 23 are matching with the DNA of Advocate. Items 8, 9, 10 and 11 are from MO26 and item 23 is from MO30.

139. Moreover, the arrest was not immediate. The accused persons had enough time to destroy the evidence and that is why the clothes said to have used by some of them have been burnt and others were cleanly washed. The FSL report, Ext.P651 further shows that the ash that was recovered on the basis of the confession of the first accused ie., MO19 was found to be

containing burned remnants of clothes. MO93 is also the ash recovered on the basis of the confession of the 5th accused and that was also found to contain burned clothes. Item Nos.108 and 111 are the said items in the FSL report-Ext.P651, prepared by the Scientific Officer (Physics).

140. The most important evidence is the chance print obtained from the glass top of the dining table at the place of occurrence. The same was identical with the left palm print of the 1st accused and that report is Ext.P138. One dispute raised was that the occurrence witnesses did not depose that the said accused, A1 touched the dining table. The learned counsel for defence relied upon the decision in **2014 KHC 4255, Prakash v. State of Karnataka**, in which it is held that *Fingerprint expert got chance print on plastic cover found on scene of occurrence – on comparison it was found tallied with fingerprint of accused – No evidence to show as to how said fingerprint of accused came into existence – Nor evidence showing that fingerprints of accused taken by IO were under order of Magistrate – Manner of taking fingerprint of accused and its identification is shrouded in mystery and hence, not credible.*

141. The said argument appears to be so flimsy because the entire incident in this case is over within three minutes. So, these minute details may not come within the attention of the witnesses. It is not humanly possible also.

So, the said argument in the light of the above decision cannot be appreciated in this case.

142. The taking of chance print from the place of occurrence has been proved by PW92, Fingerprint Expert. She has given report immediately on getting chance print. Thereafter, analysis was made and she reported that the chance print is identical with the left palm print of the first accused. Dispute was raised with respect to the taking of palm print of the first accused by the Investigating Officer without the presence of the Magistrate. The Investigating Officer deposed that with the help of PW109, the palm print from automated finger print identification system was obtained. According to the learned counsel, it is impermissible for the Investigating Officer to take the palm print of the accused as it is violative of the mandatory requirements as per the Prisons Rule. They have relied upon **1976 KHC 648, Mahmood v. State of U.P.**, in which, it is held that *the specimen fingerprints of the appellant were not taken before or under the order of a Magistrate in accordance with S.5 of the Identification of Prisoners Act. This is another suspicious feature of the conduct of investigation. It has not been explained why this Magistrate was kept out of the picture.*

143. In **AIR 2019 Supreme Court 546, Ashish Jain and Another v. Makarand Singh and Others**, it is held: *“It is eminently desirable that they*

were taken before or under the order of a Magistrate. Observations cannot be held to mean that this Court observed that under S.4, Police Officers are not entitled to take fingerprints until the order is taken from a Magistrate’.

144. In paragraph No.27 of the said decision it has been held:

“Another incriminating factor as argued by the learned counsel for the complainant is that the fingerprints of accused No.1 were found upon the tea tumblers found at the scene of the crime. We do not agree with the conclusion of the High Court that the finger print samples of the accused (used for comparison with fingerprints on the tumblers) were illegally obtained, being in contravention of the Identification of Prisoners Act, 1920, inasmuch as they were obtained without a magisterial order. Importantly, S.4 refers to the power of a Police Officer to direct taking of measurements, including fingerprints:

4. Taking of measurements, etc. of non convicted persons:- Any person who has been arrested in connection with an offence punishable with rigorous imprisonment for a term for one or upwards shall, if so required by a Police Officer, allow his measurements to be taken in prescribed manner. Section 5 of this Act provides for the taking of such samples upon an order of Magistrate, if the Magistrate is satisfied as to its expediency”.

145. However, as confirmed in (2018) 8 SCC 24, *Sonvir v. State (NCT) of Delhi*, it is held that *Section 5 is not mandatory, but is directory, and affirms the bonafides of the sample taking and eliminates the possibility of fabrication of evidence*. The said decision was reached after following the decision 1978 (3) SC 435 *Shankaria v. State of Rajasthan*. While discussing the decision in *Muhammed Aman v. State of Rajasthan* 1997 (10) SCC 44 it is held therein at paragraph Nos. 60 – 62 as follows “*This Court observed that the prosecution has failed to establish that the seized articles were not or could not be tampered with before it reached the Bureau for examination*”. In paragraph No.61, it is held: “*The above observation although clearly mentions that under Sec.4, Police Officer is competent to take fingerprints of the accused, but to dispel as to its bonafide or to eliminate the fabrication of evidence it was eminently desirable that they were taken before or under the order of Magistrate*”. It is further held that *the observation cannot be read to mean that this Court held that under S.4 Police Officers are not entitled to take fingerprints until the order is taken from the Magistrate. It is only desirable to take the finger prints before or under the order of the Magistrate*.

146. The only precaution to be taken by the Police Officer is that it should be untampered and in this case, there is no such allegation that the

fingerprints taken were tampered, but the only objection is that it was not taken before a Magistrate or under the order of a Magistrate.

147. The next argument of the defence from the side of accused was that when the report of the Fingerprint Expert was produced by the Test Inspector-PW94, it is mentioned therein that the palm print of the 1st accused is 'similar' to the chance print obtained. They have relied upon **2022 KHC Online 136, Muhammed Yousef @ Sajid and Another v. State of Kerala** to show that there is distinction between 'identical' and 'similar'.

148. On going through the report of the Fingerprint Expert, Ext.P138, what she identified and reported is that the chance print obtained marked as 'AS2' is 'identical' with the left palm specimen impression of A1 Naisam. The term that is used by the Fingerprint Expert is 'identical'. But, the Test Inspector, the higher authority of the Fingerprint Expert, when forwarded the report to the Investigating Officer, he referred it as 'similar'. Much value need not be attributed to the said expression used by the Test Inspector because what has been found out by the Fingerprint Expert has been mentioned in her report and found it as 'identical'. So, the argument in the manner that what has been identified is only similar to that of the palm print of the 1st accused is not a tenable argument.

149. From the discussion so far made, I am of the view that all the accused persons have been identified correctly by the occurrence witnesses PWs 1, 2 and 8 as well as the persons who had identified the vehicles MO26 to MO31 and also those who had seen the CCTV visuals.

150. So, in view of these facts together with the scientific evidence, I find that this is a case of murder under Sec.302 of IPC. As per Sec.300 of IPC, *except in the cases hereinafter excepted, culpable homicide is murder, if the act by which the death caused is done with the intention of causing death.* There is no doubt or any room for a second thought that the acts of the accused were not with the intention of causing death. So, there is no need to refer to the exceptions because this is a clear case of murder coming within the definition of Sec.300 IPC. In view of the said fact, there is no separate conviction entered u/s. 326 of IPC Hence, I find that accused Nos.1 to 8 committed murder of Advocate Ranjith Sreenivasan.

151. **Point Nos.2 to 4, 15 and 17:-** For brevity and convenience, these points are considered together. After the completion of preparation of scene mahazar, the Investigating Officer-PW156 took charge of the investigation as per the order of the District Police Chief, which is marked as Ext.P431. As per the said order, a special team was constituted and that separate order is Ext.P432. The Investigating Officer would say that the Advocate was not involved in any criminal activities, but he was a social worker and was

involved in the politics of BJP. He was a State leader also. But, his case is that, there was a general conspiracy existing in the SDPI-PFI political party that in case any of the activist of their party is attacked, there should be a counter attack and for that, they would be preparing a separate list.

152. The sequence of events, as per PW156, started when one Nandu R. Krishna was hacked to death on 24.02.2021. It is Cherthala Police Station Crime 434/2021. The F.I.R. in Crime No.434/2021 is Ext.P433 and the final report is Ext.P434. Nandu R. Krishna was an active RSS worker. The allegation was that SDPI-PFI activists had attacked him. So, there was an apprehension for them that one of them who is in the forefront of the their party would be attacked and in case there is an attack, it should be retaliated, for which, they have made preparations for a counter attack.

153. While this situation was prevailing, Shan, a State leader of SDPI/PFI was attacked at 07.27 p.m. on 18.12.2021. It is Crime No.621/2021 of Mannancherry Police Station. The FIR and FIS in the said case is marked as Ext.P436. The F.I. Statement in that case was given by the 14th accused in this case. As per the F.I. Statement, Shan, belonged to Mannancherry Village, was attacked by RSS activists and he got information about the said attack at 08.30 p.m. Shan was immediately taken to Providence hospital and then to Medical Trust, Ernakulam. While undergoing treatment, he died. It is stated by the

14th accused in the F.I. Statement that Shan was attacked and he got the information at 08.30 p.m., but again he would say that the incident took place at 08.30 p.m.

154. In this case, criminal conspiracy was said to have taken place at 08.00 p.m. in the house of the 14th accused. So, the argument from the side of the defence was that the time at which the F.I. Statement given by the 14th accused might be immediately after 08.30 p.m. and hence, there was no chance for the said accused to be present to conspire as alleged at 08.00 p.m. onwards on 18.12.2021 in the terrace of his house.

155. But, as per PW156, the actual attack was at 07.27 p.m. on 18.12.2021. The F.I. Statement was recorded by the Sub Inspector of Police, Mannancherry at 00.12 hours on 19.12.2021. What is the exact time at which Shan died is not clear from the F.I. Statement. But, it is stated that Shan is no more. The F.I.R. is registered on the basis of the said F.I.Statement that at 08.30 p.m., Shan was attacked.

156. The definite case of the defence was that in order to conceal the true facts, the final report in that case was not produced in this Court. According to the prosecution, both the incidents took place within a gap of some hours and the final report in both the cases were filed simultaneously. So, the Investigating Officer could not collect the final report in the said case at

the time when this final report is filed appears to be a reasonable and believable argument.

157. There was an argument from the defence side that the incident in this case allegedly took place at 06.33 a.m. on 19.12.2021 and the Police reached at the place of occurrence at 07.00 a.m. The Sub Inspector reached at the place at 07.30 a.m. and the Circle Inspector reached at 08.00 a.m. But, the F.I. Statment-Ext.P1 was recorded only at 09.00 a.m. and the F.I.R was lodged at 11.26 a.m. The reason for the said delay has not been explained. The defence counsel have relied upon the following decisions:- **2016 KHC 6715, Harbeer Singh v. Sheeshpal and Others; 2011 KHC 5111, Kailash Gour and Others v. State of Assam; 1993 KHC 788, Dharam Singh and Others v. State of Punjab; 1994 KHC 1232, Meharaj Singh (L/Nk) v. State of U.P. and Others; and 1998 KHC 114, Peethambaran v. State of Kerala.**

158. In this case, the first information received was that somebody was attacked at Nandilath junction and it was a cryptic information received in the Police Station. When the patrolling team verified the said fact, it was found to be incorrect. PW115, the Officer in charge of G.D. clearly narrated the said fact in her testimony. When PW112 reached the place, he could not understand what had actually happened. The Sub Inspector (PW150) when reached the place, he had seen three persons as occurrence witnesses, but all

of them are close relatives. The sudden shock and mental trauma made them unable to speak for sometime as to what had happened. The Sub Inspector has taken every effort to console the mother and he could make her to give a statement only by 09.00 a.m. After that, Ext.P271 F.I.R was registered. At that time, there was some technical issue and it could not be registered Online and that fact was immediately reported to the Court and that is evidenced by Ext.P272 report Hence,it could be registered only by 11.30 a.m. So, it cannot be said that there was some delay.

159. Another argument was that the identification marks, the weapons used by each of the accused persons etc. and the presence of the child-PW8 were not mentioned in the F.I. Statement and thus, not find a place in the F.I.R. There are ever so many decisions which would show that the First Information Statement and the F.I.R. cannot be treated as a full text of the alleged incident. In **2018(4) KLJ 294, Sujatha v. State of Kerala** and **1983 KLT Online 1209 (SC), Maqsoodan and Others v. State of U.P.**, the Hon'ble Supreme Court held that *a mere message or a telephonic message which does not clearly satisfy the offence cannot be treated as an F.I.R.* This decision has been also relied in **Antony v. State of Kerala, 2001(3) KLT 1 (SC)** and **Damodar v. State of Rajasthan, 2004(12) SCC 339.**

160. Another contention raised was that the clothes of the witnesses were not recovered. When the occurrence witnesses, PWs1, 2 and 8 have given evidence, they were not in a position to say that there was blood in their clothes. So, the argument was that these persons were not actually present at the place of occurrence ie., the dining room. Had they been present, definitely there would be blood stains in their clothes. Answer to this argument, the Hon'ble Supreme Court in AIR 1997 SC 2914, Harpal Singh v. State of Haryana considered the said question and it is held:

“If the clothes worn by the injured or victims were not recovered by the investigating team that perhaps would have provided a handle to the defence to attack the prosecution case. But no investigating agency would normally take the trouble to seize the clothes worn by witnesses at the time they saw the occurrence merely because their clothes too had collected stains of blood during any post event activities. At any rate, the said omission on the part of the investigating agency is not a flaw of that type to invite the consequence of jettisoning his testimony”

161. There was a further contention that there were no blood stains on the clothes and weapons when they were recovered. The pertinent aspect to be noted in this case is that the incident took place on 19.12.2021 and the first arrest was on 28.12.2021. So, enough and more time has been obtained for

the accused persons for washing and cleaning the clothes. The recovery of ash on the basis of confessions given by 1st accused (MO90) and the 5th accused (MO93) on examination by the Forensic Scientific Laboratory revealed that those were ashes of burned clothes. So, the prosecution successfully proved that the disclosure statement given by the accused persons which led to the recovery of ash was of the burned clothes. So, it was an attempt to conceal the evidence and screening the accused.

162. When the clothes, foot wears, belt etc. recovered on the basis of the confessions, days have been elapsed. So, the non-detection of blood on those items is quite natural because the accused persons or their allies have got enough time to clean it or wash it. Some of the MOs recovered contained blood stains. MO3 the sword with wooden handle and MO5 hatchet contained blood stains as per Ext.P651 FSL report. But, the stains were insufficient to find the group. The other sharp edged weapons were recovered from flowing water in *thodu* under culverts. So, chance of presence of blood stains was little.

163. Likewise, when the vehicles were seized, which were used by the accused persons to reach the place of occurrence and for the return after the commission of offence, there were blood stains on some of the vehicles. The blood group could be identified as 'O' from the blood stains contained in MO28

and MO30 vehicles, which was the blood group of the Advocate, who was murdered. The DNA profiling done with the blood of the victim with the stains obtained from these items such as MO28 motorcycle, MO30 motorcycle, these stains matched with the DNA of Advocate. So, the prosecution has successfully established the fact that these are the vehicles used by the accused persons to reach the place of occurrence for the commission of the offence.

164. It is also pertinent to note that in all the vehicles recovered, blood was detected, but in some of them, the same was insufficient to find out the group. When the prosecution successfully established the fact that blood stains were in the motorcycles used, the onus shifts on the defence to establish how the blood stains happened to be in the said two-wheelers and the said establishment of the onus of proof is very strict. Nothing could be done by the defence or even not a single word said about the presence of blood. Moreover, the report of DNA profiling revealed the presence of blood of victim Advocate on those items.

165. When it was revealed that the accused persons have travelled in motorcycles and those pictures were captured by the CCTVs on the side of the road installed in various institutions, the Investigating Officer went to Vellakinar at Alappuzha where one Biju (PW14) was conducting 'PMR Enterprises', a scrap shop. The CCTV visuals were copied in two pendrives, T1

and T2 with the help of technician, PW19. The hash value of T1 was calculated by the Cyber Cell Officer. That pendrive is Ext.P7 and the 65B certificate issued by the technician is marked as Ext.P11. The hash value certificate is Ext.P213.

166. Thereafter, they have reached the Iron bridge near the Kothuval – Chavadi bridge, Alappuzha and with the help of PW12, the Manager of ‘Thengummoottil Paper Mart’, the CCTV visuals copied in two pendrives T3 and T4. T3 is marked as Ext.P6. The 65B certificate was also obtained and hash value was calculated. The mahazar for the same is Ext.P214. The 65B certificate is marked as Ext.P5. Hash value report is marked as Ext.P215. Witness to the mahazar is PW127.

167. As per the direction of PW156, PW150, the S.I. of Police, Alappuzha South Police Station reached ‘Real Computers’ and the CCTV visuals were verified and those were copied which are of the time 06.00 a.m. to 06.30 a.m. The owner of the shop is PW16. In that camera, the time is 6.30 minutes ahead of IST. The visuals were copied in two pendrives T5 and T6 with the help of technician. T5 is marked as Ext.P8 and the mahazar is Ext.P33. The neighbouring shop owner who witnessed the said mahazar is PW41. The 65 B certificate is Ext.P12 and the hash value certificate is Ext.P216.

168. After that, the CCTV visuals in the camera of Mohiyuddin Juma Masjid at Alappuzha – Chathanad road were verified and the visuals from 06.15 a.m. to 06.45 a.m. of 19.12.2021 copied with the help of technician in T7 and T8 pendrives. T7 pendrive is marked as Ext.P184. The 65B certificate is Ext.P442 and the mahazar is Ext.P183.

169. Thereafter, they have reached the ‘Bright Electricals’ run by Brighten(PW17). The visuals were copied in two pendrives T9 and T10 by PW143. The visuals were of time 06.10 to 06.45 of 19.12.2021. T9 is marked as Ext.P9. The hash value of T9 is calculated and that report is Ext. P218. The 65B certificate is Ext.P13. The said mahazar is Ext.P40. PW49 is the witness to the mahazar.

170. Then, they have reached the house of Manoj, PW18 at Aryad Panchayath and the visuals pertaining to time between 06.00 a.m. to 07.00 a.m. of 19.12.2021 were collected by PW143. It was copied in two pendrives T11 and T12. T11 is marked as Ext.P10. The technician has issued Ext.P14, 65B certificate and the hash value certificate is Ext. P219. The mahazar is Ext.P222. Witness to the mahazar is PW134.

171. Thereafter, they have proceeded to the house of one Varghese of Joy Villa and visuals in between 05.30 a.m. to 06.30 a.m. of 19.12.2021 copied in T13, T14 pendrives. T13 is marked as Ext.P15. The 65B certificate is

Ext.P16 and the hash value report is Ext.P220. The mahazar is Ext.P185. Witness to the mahazar is PW106.

172. After that, they have reached Kottankulangara at Alappuzha and the CCTV visuals in the camera of 'Kensa Fancy and Gold Covering shop' of PW120 of the time between 05.40 a.m. to 06.40 a.m. were taken in two pendrives, T15 and T16. T15 is marked as Ext.P17. Mahazar was prepared by PW143 and it is marked as Ext.P186. The 65B certificate is Ext.P18 and the hash value certificate is Ext.P221. Witness to the mahazar is PW117.

173. Thereafter, they reached the 'N.S. Metals' and the CCTV visuals pertaining to the time between 06.00 a.m. to 07.00 of 19.12.2021 copied in two pendrives T17 and T18. T17 is marked as Ext.P19. The said mahazar is Ext.P180, prepared by PW150. The 65B certificate is Ext.P20 and the hash value certificate is Ext.P181. Witness to the mahazar is PW128.

174. Then, they have reached 'Baby Shoppie' of PW15 and copied the visuals from 06.00 a.m. to 07.00 a.m. of 19.12.2021 in two pendrives T19 and T20. T19 is marked as Ext.P21. The 65B certificate is Ext.P22 and the hash value certificate is Ext.P182. The recovery mahazar is Ext.P41 prepared by PW150. Witness to the mahazar is PW51. In the camera of 'Baby Shoppie', the time is three minutes slower than IST. The pendrives were produced before

the Court describing in property list as Exts.P443, P444 and P445. The address report of accused Nos.3 and 9 are Ext.P446.

175. One Arshad Navas, who is not facing trial now, was arrested on 21.12.2021 and he confessed that he know the place and he was ready to show the said place and accordingly they have reached the tin sheeted portion of the upstairs of a house and that mahazar is Ext.P43 and the confession extract is Ext.P43(a). The properties that were seized are MO32 and MO33, a number plate with number KL-04-AK-3146 and two T-shirts of green and red colours. PW53 is the witness to the recovery of these items on the basis of the confession by son of the 10th accused.

176. Likewise, another person, S. Sudheer, who is not now facing trial, was arrested on 22.12.2021 and he was taken into Police custody on 27.12.2021. On the basis of his confession, they have reached the house of Selma Beevi, PW118. The front door of the house was locked and using force, the back door was opened, which was a place identified as a place of conspiracy and the mahazar is Ext.P42 prepared on 30.12.2021 in the presence of witness, PW52. The confession extract is Ext.P42(a). The documents seized were produced before the Court in form-15, Ext.P461 and those documents are Exts.P44, P45 and P46. A list containing names of 24 persons was also seized.

177. Thereafter, PW154, as per the direction of PW156, searched the house of wife of the third accused at Kottayam. Written direction for that is Ext.P462. The search list is Ext.P187. A mobile phone was obtained in the said search and that was produced before the Court in the property list, Ext.P463. An information was received that secret informations are concealed in the said mobile phone and hence, that mobile phone was forwarded to the Cyber Forensic Lab by preparing Ext.P464 forwarding note. The messages that were deleted were retrieved and that report is Ext.P465. The said informations are stored in the pendrive, Ext.P465(a). The mobile phone is not marked because it has been sent to Regional Forensic Science Laboratory for further analysis. The pendrive Ext.P465(a), when played in the court, it has been seen that there is a list containing the name of Shan and opposite to the said name, Prasad and Ranjith Sreenivasan are written. That image is Ext.P465(aa).

178. The house of the 8th accused was searched by PW113 and the properties were seized as per Ext.P204 search list. The documents were produced before the Court, describing in form-15 and that is Ext.P207. The property list is Ext.P206 and the item seized is MO40, an OPPO mobile.

179. On 30.12.2021, the house of the 11th accused was searched as per Ext.P326 search list and the properties obtained are MO62 and MO63, which are one Micromax smart phone without battery and two flags of green and

white colour. The property list is Ext.P327. The documents obtained in the said search were produced, describing in Ext.P328 form-15. Those items are Exts.P329 to P349, which are Aadhaar card, passbook, cheque leaves, delegate tag of SDPI, one book with 40 pages of SDPI Prathinidhi Sabha, registration certificates of motorcycles, constitution of Madrassa, speeches of All India Imam Council, DVDs containing the history of Makka and Madeena etc.

180. On the same day, PW152 conducted search in the house of the 12th accused by preparing Ext.P280 search list and the items MO45 to MO58 were produced before the Court describing in Ext.P282, property list. The documents were produced before the Court, describing in Ext.P283 form-15. The documents are Exts.P284 to 307.

181. PW152 conducted search in the house of the 2nd accused as per Ext.P347 search list and MOs 64 to 74 were obtained in the said search and those items were produced before the Court, describing in Ext.P348 property list. Form-15 is Ext.P349 by which documents Exts.P350 to P364 were produced before the Court.

182. PW113 conducted search on 30.12.2021 in the house of Shamsuddeen, father of the 1st accused. The search list is Ext.P202. The documents were produced before court, describing in Ext.P203 form-15. The documents seized as marked as Exts. P203(a) to P203(d).

183. On 28.12.2021, the accused Nos.3 and 9 were seen at the premises of Alappuzha KSRTC bus station and they were taken to the office of PW156 and questioned and after that, they were arrested at 08.00 p.m. Arrest memo of third accused is Ext.P447; inspection memo is Ext.P448; custody memo is Ext.P449 and arrest notice is Ext.P450. Arrest memo of 9th accused is Ext.P451; inspection memo is Ext.P452; custody memo is Ext.P453 and arrest notice is Ext.P454. After obtaining custody of the said accused persons, by the order Ext.P468, the 9th accused was questioned in the presence of witnesses. He confessed that he has entrusted the sword to the 15th accused. That confession extract is Ext.P469. When he was further questioned, he confessed that he entrusted the clothes to the third accused. That confession extract is Ext.P470.

184. When the third accused was questioned in the presence of witnesses, he confessed that he burned the said clothes in a particular place. So, on the basis of the said confession, the Investigating team has reached Chudukadu junction, and on the side of the Kuthirappanthi Bhagom, near Malikaparambu, there was a half constructed building and property of Kadavathusseri Nishad. On the north-western corner of the said property, the third accused pointed out the ash and that was seized in the presence of witness, PW63 at 03.45 p.m. on 18.01.2022. That recovery mahazar is

Ext.P55. The confession extract is Ext.P55(b). The packet of ash produced before the Court in property list, Ext.P471 and that is MO35.

185. The third accused was further questioned and he confessed that the shoes and belt are concealed by him in a particular place and was ready to show those items. As per his confession, they have reached 'Munduvadakkal house', near Sthuthikkattuchira Bhagom near Malikaparambu and he took the shoes and belt from the steel almirah in the bedroom. It was seized in the presence of witness, PW25 at 16.00 hours on 31.12.2021 and that recovery mahazar is Ext.P23 and the confession extract is Ext.P23(a). The belt and shoes are marked as MO12. The property list of the same is Ext.P472.

186. On further questioning, the third accused confessed that he concealed the sword-stick (Koduval) in the *thodu* at Kalarkode and he was ready to show it. Thus, they have reached Kalarkode Reliance junction and on the further west of that portion, on the side of the road leading to Gurumandiram Bhagom, below a culvert of Kappithodu, the 3rd accused took the said weapon from the flowing water and that was seized in the presence of witness, PW123 on 08.01.2022, at 17.30 hours and that mahazar is Ext.P236. That weapon is MO4. The confession extract is Ext.P236(b). The weapon was kept in his custody for showing to witnesses and that report is Ext.P473. The samples were collected from the body of accused Nos.3 and 9 by the Forensic

Surgeon and those were produced before the Court, describing in Ext.P474 property list. The collection of evidence certificate of the Surgeon is produced in form-15 and that is marked as Ext.P475.

187. On questioning the 9th accused, he confessed that he concealed the scooter at a place and he was ready to show the same. Thus, as per his disclosure, in an uninhabited property near Mullathu Valappu Bhagom, north of Chudukadu junction at Ambanakulangara, he had pointed out the Activa scooter-MO30 and it was seized in the presence of PW125 after verification by the Scientific Officer and the Police photographer. The mahazar is Ext.P237 and the confession extract is Ext.P237(a). In the said mahazar, the vehicle number is mistakenly noted as KL-4-AM-7048, which was corrected by a report, Ext.P237(a) as KL-4-AN-7048. The inventory mahazar of the said vehicle is Ext.P147.

188. The vehicle was not immediately produced before the Court because it has to be shown to the witnesses. The Scientific Officer collected the material objects and those were produced before the Court describing in property list as Ext.P456. The Scientific Officer has issued collection of evidence certificate and that is also produced before the Court in form 15 as Ext.457. The Physical Education Guide obtained from the said vehicle, MO37 and the property list of that is Ext.P458. The property list of the said vehicle is

Ext.P459.

189. The house of the 9th accused was searched by PW154 as per Ext.P404 search memo. The search list is Ext.P405 and the documents seized in the search were produced in form-15, Ext.P420. The property list of the items that were obtained by way of search is Ext.P406.

190. Subsequently, the involvement of accused Nos.7 and 10 was revealed and report filed including them in the accused list and that is Ext.P476. They were taken into custody on 01.01.2022 from Kayamkulam bhagam and were brought to the office of PW156. They were questioned and they were arrested at 19.30 hours on 01.01.2022. The arrest memo of the 7th accused is Ext.P482; custody memo is Ext.P483; inspection memo is Ext.P484 and arrest notice is Ext.P485. Arrest memo of the 10th accused is Ext.P486; inspection memo is Ext.P487 and custody memo is Ext.P488.

191. On questioning, the 7th accused confessed that he has concealed the scooter at a particular place. Thus, on the basis of the said confession, they have reached Karukayil junction, which is on the west of Chudukadu junction through Pulayanvazhi road and on the side of the road, the scooter was shown. It was examined by the Scientific Officer and in the presence of witness, PW43 it was seized by preparing Ext.P34. It is a 4G Activa scooter bearing No. KL-04-AK-7167. The mahazar prepared at 15.35 hours on 02.01.2022. The

confession extract is Ext.P34(b). When the utility box of the vehicle examined, the original RC-Ext.P35 was seen and that was produced before Court in form-15, Ext.P477. It was kept in the custody of the Investigating Officer for showing to the witnesses and that report to Court is Ext.P478. Later, it was produced before the Court, describing in property list, Ext.P479.

192. The Scientific Officer collected soil from the foot board and stain like substance from seat cover and right body cover. The inventory of the same is Ext.P148. The collection of evidence certificate given by the Scientific Officer is produced before the Court in form-15, Ext.P481. Their body samples were collected by the Forensic Surgeon and those items are produced before Court in Ext.P481 property. The same number of form-15, ie., Ext.P481 was mistakenly given to the property list also.

193. The 10th accused was questioned in the presence of witnesses and he confessed that the clothes and foot wears have been concealed by him and he was ready to show those items. Thus, as per the confession, they have reached the house of the 10th accused at Vadasseri bhagom in Alappuzha-Kallupalam-Kaithavana road and he had taken a shirt and dhoti from the almirah and also he has produced the foot wears. Those were seized in the presence of PW129 at 17.30 hours on 02.01.2022 by Ext.P242 mahazar. The confession extract is Ext.P242(b). Three items, MO10 series were seized as per

the search and those were produced before the Court describing in Ext.P490 property list. The collection of evidence certificate of body samples of accused Nos.7 and 10 produced in form-15, Ext.P503.

194. PW154 searched the house of the first accused and the properties seized are MO83 to MO87 shown in Ext.P422 search list and the documents produced before the Court describing in Ext.P423 property list. Thereafter, revealing the involvement of accused Nos.1 and 6, a report was filed and that is Ext.P492. They were taken into custody from Vandanam bhagom on 03.01.2022 and they have been taken to the office of PW156 and after questioning them, they were arrested on the same day at 21.00 hours.

195. Arrest memo of the 1st accused is Ext.P493; custody memo is Ext.P494; inspection memo is Ext.P495 and arrest notice is Ext.P496. Arrest memo of the 6th accused is Ext.P497; inspection memo is Ext.P498; custody memo is Ext.P499 and arrest notice is Ext.P500. The body sample of these accused persons were collected by the Forensic Surgeon and the inventory of the same is Ext.P194. Those items were produced in the Court, describing in Ext.P501 property list. The order giving Police custody of these accused persons 1 and 6 is Ext.P506.

196. On questioning, accused No.7 confessed that he has concealed a sword at a particular place and he was ready to show the same. Thus, they

reached Alappuzha – Haripad National Highway in the Kalarkode SBI Junction and thereafter, proceeded through the Eravukadu temple road and about 200 metres north of that, below the culvert of Rani *thodu*, the 7th accused took a sword from the flowing water and that was seized in the presence of witness, PW54 at 09.10 hours on 14.01.2022 and that mahazar is Ext.P47. The confession extract is Ext.P47(b). That sword is MO7(a).

197. The 7th accused on further questioning confessed that the mobile phone is entrusted by him to Suhail. That confession extract is Ext.P507. As per the direction of PW156, PW154 questioned Suhail, an accused in the crime, now not facing trial and his confession statement is marked as Ext.P50, thereby, MO34 mobile phone was recovered. The property list of MO34 is Ext.P508.

198. On questioning, the 10th accused confessed that a sword is concealed by him in a particular place and he was ready to show it. On its basis, they have reached the Alappuzha – Haripad National Highway, at Valiya Chudukadu *Rakthasakshi Mandapam* and near to that at Mullathuvalappu, on the side of the tiled road, where there was a Government Ayurveda Panchakarma Kendra under construction and the compound wall was seen damaged. Within the compound, close to the boundary on the western side, within the bushes, a sword was shown and it was seized in the presence of

witness, PW58 at 09.50 hours on 14.01.2022 by preparing Ext.P51 mahazar. The confession extract is Ext.P51(b). That sword is MO9(a). MO9(a) and MO7(a) were produced in the Court, describing in Ext.P509 property list.

199. The 7th accused was further questioned and he confessed that the clothes and foot wears are hidden by him. Thus, they have reached the railway station road at Thiruvampadi and the said accused entered into 'Thaivelikkakom house' and took the clothes from the almirah and the foot wears from the bottom of almirah and those were seized at 10.45 hours on 14.01.2022 in the presence of witness, PW126 and the mahazar is Ext.P238. The confession extract is Ext.P238(b). Those items are MO15 series and those were produced before the Court by property list, Ext.P510.

200. Subsequently, the involvement of accused Nos.2 and 12 has been revealed and a report to that effect, Ext.P511 was filed. They were taken into custody from Vandanam area by the Police team and were taken to the office of PW156. He questioned them and thereafter, their arrest was recorded at 21.00 hours on 06.01.2022. Arrest memo of the 2nd accused is Ext.P512; inspection memo is Ext.P513; custody memo is Ext.P514 and arrest notice is Ext.P515. Arrest memo of 12th accused is Ext.P516; inspection memo is Ext.P517; custody memo is Ext.P518 and arrest notice is Ext.P519.

201. The item that was seen in the body of the 12th accused, ie., a belt with pouch, marked as MO89 was seized and produced before the Court by property list, Ext.P520. The samples for DNA profiling collected from the body of these accused as per Ext.P189 inventory mahazar and those were produced before the Court describing in property list, Ext.P521. The collection of evidence certificate of the Surgeon produced in form-15 is Ext.P522.

202. Thereafter, custody of the 1st and 6th accused was obtained as per Ext.P526 order. On questioning, the 6th accused confessed that a sword-stick has been hidden by him beneath a culvert and he was ready to show the same. Thus, they reached Thalavadi junction on Alappuzha – Thanneermukkom road thereafter on the road leading to Thiruvilakku temple and from beneath a culvert, a sword-stick was taken from a *thodu* and that was seized in the presence of witness, PW59 at 20.00 hours on 07.01.2022 by Ext.P52 mahazar. The confession extract is Ext.P52(b) and the weapon is MO3. It was kept in the custody of the Investigating Officer for showing to the witnesses and the report to that effect is Ext.P527. MO3 along with MO4 are produced before the Court, describing in Ext.P528 property list.

203. The 6th accused was further questioned after taking in Police custody and he confessed that a motorcycle was hidden by him and he was ready to show the place and motorcycle. Thus, on the basis of the said

confession, they reached the parking area of Vanadanam Medical College at the B-block and the motorcycle KL-04-AR-5285 Bajaj Platinum Black, MO29 was seen parked near a small tree. It was examined by the Scientific Officer and the Department Photographer has taken photos and it was seized by Ext.P48 mahazar at 11.00 hours on 12.01.2022 in the presence of witness PW55. The confession extract is Ext.P48(b).

204. Accused No.6 was further questioned and he confessed that the clothes have been hidden in a place by him and on its basis, they have reached Alappuzha – Thanneermukkom road, at Mannancherry Adivaram junction, near the petrol pump, on the road leading to Parappu and the accused entered into Daru Sabeel house and from the almirah, he took a pant and that was seized in the presence of witness, PW60 at 15.00 hours on 12.01.2022 by Ext.P53 mahazar. The confession extract is Ext.P53(b) and that cloth, MO14 produced before the Court along with other properties by Ext.P529 property list.

205. The involvement of the 14th accused was revealed and a report filed before the Court as Ext.P530. The 14th accused was taken into custody by PW154 as per the order of the Magistrate, Ext.P619. He was taken into custody on 07.01.2022 from the Railway Station, Alappuzha premises and after questioning him, he was arrested at 20.45 hours on 07.01.2022. Arrest

memo is Ext.P531; inspection memo is Ext.P532; custody memo is Ext.P533 and arrest notice is Ext.P534. His body samples were collected.

206. In the meantime, PW1 was taken to the Medical College Hospital, Vandanam and she was examined by the Forensic Surgeon, PW93 and the wound certificate is Ext.P142. It was on 31.12.2021. The following injuries are noted: 1. healing wound 2.5 x .5 cm oblique on the left side of middle of back of trunk; 2. two multiple small healing linear abrasions of size .3 cm, .5 x .6 cm suggestive of finger nail abrasions horizontally oriented over an area of 1 x 1 cm on inner aspect of left forearm, 3 cm above wrist covered with brown loose scab; 3. tenderness over an area 2 x 2 cm. on front left forearm 3 cm above wrist; 4. tenderness over an area 2 x 1 cm on back of left wrist; 5. tenderness over an area 5 x 4 cm on upper inner quadrant of left breast; 6. tenderness over an area 4 x 3 cm on under surface of left breast and the Doctor opined that the injury could be caused as alleged by the patient, PW1, when she resisted the attack of accused towards her son.

207. PW93 opined that injury No.1 could be caused by sharp tip of a sharp weapon and it could be a healing superficial incised injury. Injury No.2 could be finger nail abrasions. Injury Nos. 3 to 6 are suggestive of healing deeper contusions can be by blunt force ie., contact of that part of body with a hard smooth surface or object. He was assisted by a lady Doctor and he

further opined that the injury could be aged seven days prior to the time of examination, which is the minimum period.

208. Of Course, there was delay in the examination of PW1 by the Doctor. The version of PW1 during evidence was that when she had witnessed the brutal murder of her son, her mental trauma overcome the physical pain and at last when she finds that her injury on the back is not properly healed, she had to visit the Doctor with the help of Police. That appears to be a reasonable explanation because it is an experience of some unfortunate individuals in the society and the trauma thereafter ie., the investigation process and the identification of the weapons, clothes and repeated questioning by the Police Officials would definitely throw away their peace of mind and they may not be able to recollect what would be necessary for their good health.

209. The relevancy of the injured witness has been considered by the Hon'ble Supreme Court in **2010 KHC 4676, Abdul Sayed v. State of M.P.** and the Hon'ble High Court has also considered the said position in **Kurian v. State of Kerala, 2019(5) KHC SN20**. It is held:

“The testimony of an injured witness has its own relevancy and efficacy. The injured witness stands on a higher pedestal than an ordinary eye witness. The fact that the witness sustained injuries at the time and place of

occurrence lends support to his testimony that he was present during the occurrence. Normally, injured witnesses would not implicate wrong persons to the crime so as to allow the real culprits to escape unpunished. The testimony of the injured witness is accorded a special status in law. The testimony of an injured witness is generally considered to be very reliable, as he is a witness that comes with a built - in guarantee of his presence at the scene of the crime and is unlikely to spare his actual assailant in order to falsely implicate someone. He will not want to let his actual assailant go unpunished merely to falsely implicate a third party for the commission of the offence. Convincing evidence is required to discredit an injured witness. Deposition of the injured witness should be relied upon unless there are strong grounds for rejection of his evidence on the basis of major contradictions and discrepancies.”

210. PW154 got custody of the first accused and his confession, Ext.P425(a) was recorded. The first accused was questioned in Police custody and he confessed that the hammer has been concealed by him and he was ready to show the place and hammer. Thus, they have reached the Mannancherry – Kalavoor road and through Parathara junction to Kargil road, the accused entered into ‘Kakkaparambu house’ belonged to one Chandran

and from the bottom of some litters, the said accused took the hammer, MO1 and it was seized in the presence of witness, PW56 at 16.30 hours on 12.01.2022 by Ext.P49 mahazar. The confession extract is Ext.P49(b).

211. The first accused was further questioned and he confessed that he had burnt the clothes and expressed his readiness to show the place. Thus, they have reached Ambanakulangara junction on Alappuzha - Thanneermukkom road and through the Apoor – Volga road, they reached the Kargil junction and near that area, near Vazhappallil culvert, the accused reached the house of Shamsudeen, his father and showed the place where cloths were burnt. Ash was collected in the presence of witness, PW131 at 17.30 hours on 12.01.2021 and that mahazar is Ext.P248. The confession extract is Ext. P248(b). The pack of ash is MO19. It was produced before court by Ext. P536 property list. The specimens collected by the scientific officer from the motorcycle KL-4-AR 5255, MO29 were seized by Ext. P149 inventory mahazar.

212. PW154 took accused No.14 in custody and he confessed that he has parked the vehicle KL-1B-A-3535 Innova car at a place and he was ready to show that. Thus on the basis of that confession, the said car was recovered near the court complex of SNDP building and the mahazar is Ext.P425 and the confession extract is Ext.P425(a). That car was produced before court

describing in property list, Ext.P426. After that, PW154 has found out the place of conspiracy that is near the railway station and a mahazar Ext. P257 prepared on 15.1.2022. PW138 is the witness to Ext.P257 mahazar prepared by PW154 by verifying the premises of railway station road near Kunnumpuram Juma Masjid.

213. The second accused was taken into Police custody and he was questioned. He confessed that the sword has been hidden by him at a place and he was ready to show the place and sword. On that basis, they have reached Alappuzha – Thanner mukkom road and through Thalavady junction they have reached Sasthripuram and further east of that, there was a culvert with flowing water in the thodu, and the sword was taken by the 2nd accused from there which was seized by Ext.P250 mahazar at 10.30 hours on 16.1.2022 in the presence of witness PW132. The confession extract is Ext.P250(b). The sword is MO2. PW132 who is doing coir works at Komalapuram, Alappuzha is the witness to Ext.P250 mahazar.

214. He was further questioned and he confessed that the clothes have been concealed by him at a place. On the basis of it, through Alappuzha-Thanneermukkom road, they have reached Mannancherry junction and further east of that through the road of Thrikkovil temple they have reached Kizhakkepally bhagom and then reached the house of Abdul Khader and from

the almirah, the accused took out a pant and that was seized in the presence of witness PW147 as per Ext.P263 mahazar at 11.50 hours on 16.1.2022. The confession extract is Ext. P 263(b).

215. The 2nd accused was further questioned and he confessed that he knows the place and he was ready to show the place and thus on the basis of that, they have reached Thalavady junction at Alappuzha-Thanner mukkam road and travelled through Thiruvilakku temple road and near to it there was a single room building which was pointed out by the accused and accordingly, mahazar Ext.P60 was prepared at 17.45 hours on 17.1.2022 in the presence of witness, PW67. That confession extract is Ext.P60(b). In the said room, there were some furniture and cigarette butts. There were flags of SDPI also. Those items ie., MO36 produced before court, describing in Ext.P539 property list.

216. On further questioning, the 2nd accused confessed that he will show the route through which they have started from Mannancherry to the place of occurrence. On its basis, the Police team along with with him have started from Alappuzha-Thanneermukkom road from Thalavady junction. Then they proceeded towards east to Kottankulangara bhagom, then they reached the road leading to Thiruvilakku temple and then reached the single room building and according to the 2nd accused, it was the starting point. So a running mahazar Ext.P179 prepared at 18.45 hours on 17.01.2022. The confession

extract is Ext.P179(b).

217. From Kottankulangara junction, they have reached Thalavady junction and then reached the road towards Thiruvilakku temple, then they turned towards south and reached Kottankulangara - Thalavady road, again then towards west, reached Thalavady junction and further went towards west and reached in front of the shop 'Kensa fancy and gold covering shop', then they passed towards AKG road towards west and further west of that there is house of Varghese, 'Joy villa' and again further west of that is AKG junction. From there, turned towards south to Alappuzha bhagom and reached the place where house of Manoj, S/o. James situates.

218. After that, they have turned towards south and reached Asramam junction and through Asramam-Chathanad-MC John company road, they proceeded towards south and reached Chathanad junction. On that road, there is the Mohiyudheen Juma Masjid. Further south of it, there is Savacotta bridge, Vadakkekara District Court bridge, then they turned towards Vazhicherry bridge and the 'Bright Auto Electricals' is situated at that portion.

219. Then they have travelled towards south and reached Vazhicheri junction where there is 'NS Metals Iron and Steel'. After that, further south, they reached Kothuval - Chavadi bridge and then to the iron bridge. Thereafter, reached CCSB road where there is 'Thengummoottil Paper Mart'

and further south is Doraisir road. When travelling 400 metres towards south, there is General Hospital – Vellakkinar road.

220. From there, they have further travelled 100 metres west and reached Vellakkinar junction. Then, reached Kothuval Chavadi bridge and then turned towards north where there is 'PMR Enterprises', a scrap shop. Further north of it is the 'Real Computers', Then, 15 metres north of it is iron bridge and thereafter reached CCSB road and then reached Doraisir road and travelling 200 metres towards south and then towards east they have reached the house of PW1. The total distance is 7.4 kms. PW149 prepared a route map on the basis this running mahazar and that is Ext.P269.

221. The 12th accused was questioned in the presence of witnesses and he confessed that he had concealed the clothes in a place and he was ready to show it. On that basis, they have proceeded to Alappuzha – Thanneermukkom road and reached Nethaji junction. From there, they have gone to Kanakkoor-Paravakkal road and reached the house 'Kannarkadu' and the accused entered into the bedroom and some planks were seen kept on the corner of the room and under the planks the shirt and pant were kept and those were taken and given to the Investigating Officer. Those were seized at 12.10 hours on 16.01.2022 by Ext.P251 mahazar in the presence of witness, PW133. The confession extract is Ext.P251(b) and the clothes are MO17 series.

222. On further questioning, the 12th accused confessed that he concealed a sword at a place and based on the said confession, they have reached the Nethaji junction and then to the road leading to Kanakkoor temple and from there, to the road leading to Shanmugham temple. There is a further road leading to Mahadeva temple and further, there is another junction viz. Navakalunkal. There was an area with shrubs on the side of the road and beneath that there was the sword which was searched and taken out by the said accused. Thus, MO9(b) sword was seized at 12.45 hours on 19.01.2022 as per Ext.P59 mahazar in the presence of witness, PW66 and the confession extract is Ext.P59(b).

223. Subsequently, the involvement of the 15th accused was revealed and report to that effect, Ext.P541 was filed before the Court. He was taken into custody from Eramalloor area and after questioning and convincing that he is involved in the crime, he was arrested at 14.40 hours on 17.01.2022. The arrest memo is Ext.P542; inspection memo is Ext.P543; custody memo is Ext.P544 and the arrest notice is Ext.P545.

224. Thereafter, the involvement of the 13th accused was also revealed and a report to that effect, Ext.P547 was filed before the Court. He was taken into custody from the KSRTC bus station, Ernakulam and after questioning, he was arrested at 18.00 hours on 24.01.2022. The arrest memo is Ext.P548;

inspection memo is Ext.P549; custody memo is Ext.P550 and arrest notice is Ext.P551.

225. Subsequently, Section 109 of IPC was added and the report with respect to that is Ext.P553.

226. Accused No.15 was obtained in Police custody and on questioning by PW154, he gave Ext.P63(a) confession with respect to the sword that he had concealed. On its basis, the Police team along with the 15th accused reached the Alappuzha -Cherthala National Highway and then reached Bappu Vaidyar junction through beach road and on the side of the road leading to Malikamukal bhagom, which is on the western side of Alappuzha bypass over bridge, opposite to the second pillar, they reached the property of one Pushpa, an uninhabited property, which had compound wall on three sides. Then, the said accused took the sword which was concealed beneath a heap of bottles, granite pieces and grass. Thus, MO7 sword was seized at 12.30 hours on 25.01.2022 by preparing Ext.P63 mahazar in the presence of witness, PW68. That is produced before the Court by property list, Ext.P555.

227. Subsequently, the involvement of the 4th accused was revealed and a report to that effect Ext.P556 was filed before the Court. He was taken into custody by the Police team from Ernakulam and he was questioned in the office of the Investigating Officer. After that, his arrest was recorded at 16.00

hours on 31.01.2022, convincing his involvement in the crime. Arrest memo is Ext.P557; inspection memo is Ext.P558; custody memo is Ext.P559 and arrest notice is Ext.P560.

228. The 4th accused was taken into custody as per Ext.P566, the order of the learned Magistrate and on questioning, he confessed that a belt has been concealed by him and he was ready to show the same. Thus, they reached Thalavadi junction and entered into the house viz. 'Erangattu' and from the almirah made of plywood, the said accused took belt and that was seized at 12.50 hours on 12.02.2022 by preparing Ext.P56 mahazar, in the presence of witness, PW64. The confession extract is Ext.P56(b) and the belt is marked as MO13 and it was produced in Court, describing in Ext.P568 property list. The 4th accused also confessed that he entrusted the dress to Salam.

229. PW154 has received the pendrives from 'Mattuppavil Spare Parts' which were already copied by its owner, PW121 with the help of his son. The mahazar of the same is Ext.P430. He produced Ext.P230, 65B certificate and that has been produced before the Court. That pendrive is Ext.P244. The blood samples of the 4th accused was collected by the Forensic Surgeon and an inventory was prepared on 07.02.2022, receiving the samples and that is Ext.P190. It was produced before the Court in Ext.P569 property list. The collection of evidence certificate produced in form-15 and that is Ext.P570.

230. The Department Photographer has taken photographs of the scene of occurrence at the time of inquest and also of the car and the inventory of the same is Ext.P195. The photos are marked as Exs.P108, 109, 110 and 113 series. Those were produced before the Court, describing in form-15 and that is Ext.P571. The chance print obtained from the scene of occurrence has been photographed and that photo is Ext.P572. The 65B certificate is Ext.P572(a).

231. Later, the involvement of the 11th accused was revealed and the report with respect to that, Ext.P573 was filed before the Court. He was taken into custody from Haripad bhagom and after questioning, he was arrested at 20.00 hours on 16.02.2022. Arrest memo is Ext.P574; inspection memo is Ext.P575; custody memo is Ext.P576 and arrest notice is Ext.P577. He was taken into custody by the order of the learned Magistrate, Ext.P581 and on questioning, he confessed that the iron rod used in the crime was concealed by him and he was ready to show it. Thus, they have reached the Thalavady junction and from there, reached the road leading to Thiruvilakku temple and from there, they have travelled further west and in a bushy area, the iron rod was concealed and it was taken by the 11th accused. It was seized at 16.00 hours on 24.02.2022 in the presence of witness, PW141 by Ext.P258 mahazar. The confession extract is Ext.P258(b). The iron rod is MO8 and its property list is Ext.P582.

232. On further questioning, he confessed that the jeans has been concealed by him and was ready to show that. On that basis, they have reached the road leading to Thiruvilakku temple and on further west of that, the accused entered into house No.X/220, which is his residential house and from the almirah in the bedroom, he took out the jeans and that was seized at 16.20 hours on 24.02.2022 in the presence of witness, PW142 by preparing Ext.P259 mahazar. The confession extract is Ext.P259(c). In the said report, his house name was omitted. It was incorporated by Ext.P259(b) report. The jeans seized is MO16.

233. On further questioning, the 11th accused confessed that the shirt and foot wears have been burnt by him and he was ready to show the place. On that basis, they have reached the house of the said accused ie., 'Thayyil house' and he showed the ash on the eastern corner of the property near the compound wall. It was seized at 17.45 hours on 01.03.2022 in the presence of witness by Ext.P583 mahazar. The confession extract is Ext.P583(b). The ash packet is MO91 and the property list of the same is Ext.584.

234. On further questioning, he confessed that he entrusted the bike to Sajeer and he pointed out Sajeer who was in custody at that time. Thus, at 10.30 hours on 26.02.2022, Ext.P178 mahazar was prepared. That confession extract is Ext.P178(b). When Sajeer, who is not facing trial now, was

questioned, he confessed that he concealed the bike at a place and he was ready to show the place and vehicle. Thus, they have reached the Apoor Volga junction at Ambanakulangara and in front of Arabic College of Al-Manar belonged to Ambanakulangara Juma Masjid, he pointed out the bike which was verified by the Scientific Officer and photographs were also taken and it was seized at 12.45 hours on 26.02.2022 by preparing Ext.P76 mahazar in the presence of witness, PW73. That motorcycle is MO26. The confession extract is Ext.P76(b). It was produced before the Court describing in Ext.P585 property list. Specimens were collected from the said vehicles by the Scientific Officer in three packets and the report of the same is Ext.P150(a). The collection of evidence certificate issued by the Scientific Officer, marked as Ext.P586, is produced in court, describing in form-15.

235. Thereafter, PW154 collected the call detail records and customer application forms from the Nodal Officer of Vodafone India Limited and prepared Ext.P171 inventory mahazar. The call detail records of accused Nos.1, 6 & 8, Sali, Sudheer, Nasar and Aji were collected and those customer application forms and 65B certificates are Exts.P151 to 165. Form-15 of the same is Ext.P587. The call detail records and the customer application forms from Airtel Company Limited are seized by Ext.P172 inventory mahazar. Those are pertaining to A10 who had two numbers, A2 with two numbers, A12 with

two numbers, A6, A8, Sameer with two numbers, A15, A14, A13, Sajeer, Nahas, Arshad Navas, Rahim, Ali Ahammed, son of the first accused, Sulfikar and those are marked as Exts.P175 series and the form-15 is Ext.P588.

236. The customer application form and call detail records from Jio Company of the first accused with two numbers, accused Nos.5, 7 & 9, Sudheer, Nazar, Jubairiya, wife of Saifudeen with two numbers, Sinu, S/o. Kais, Nishad, Suhail, Siyad, Aji, S/o. Majeed are Ext.P176 series. The inventory of the same is Ext.P173 and the form-15 is Ext.P589.

237. The call detail records and the customer application forms from BSNL with 65B certificate are Ext.P177 series. Those are of 3rd accused, 4th accused with two numbers, Anoop Mani and Nishad. The inventory of the same is Ext.P174 and the form-15 is Ext.P590.

238. Thereafter, the involvement of the 8th accused was revealed and the report with respect to that is Ext.P591. He was seen by the Police team at Valanjavazhi bhagom and taken into custody. After questioning, he was arrested at 20.00 hours on 22.02.2022. Arrest memo is Ext.P592; inspection memo is Ext.P593; custody memo is Ext.P594 and arrest notice is Ext.P595. The blood samples of this accused along with Sameer were collected through the Forensic Surgeon and the inventory mahazar is Ext.P196. The collection of evidence certificate produced before the Court in form-15 is Ext.P597 and the

samples are produced by Ext.P598 property list.

239. As per the order of the learned Magistrate, Ext.P601, custody of the 8th accused was obtained and he confessed that he concealed a sword and in case, he is taken to that place, he will show that. Thus, they reached Kottankulangara bhagom, on the side of the road leading to Thoppuveli temple. There was a culvert and from beneath the culvert, the accused had taken out the sword. It was seized in the presence of witnesses at 11.30 hours on 28.02.2022 by Ext.P75 mahazar. The confession extract is Ext.P75(b) and the sword is MO6 and it is produced before the Court by Ext.P602 property list.

240. On further questioning, he confessed that he had burnt the clothes and he was ready to show it. Thus, they have reached Mannancherry - Kizhakkeppally road and from there towards north reached Koottunkal junction and passed through the road leading to Uduppithara. There was a half constructed building where there was the house of this accused on its west and he pointed out the western portion of his property where there were stones kept in order and near to that, there was ash. It was seized in the presence of witness describing in Ext.P267 mahazar. The confession extract is Ext.P267(b). The packet of ash is MO92 and the property list is Ext.P603.

PW148 is the witness to Ext.P267 mahazar who is running a tea-shop. He did not support the prosecution case.

241. The handwriting of the 3rd accused was collected in the presence of Assistant Superintendent of District Jail, Kakkanad on 02.03.2022 and those are Exts. P169(a) to 169(e) and the mahazar is Ext.P169. The specimens are produced in the court in Ext.P604 form-15.

242. Thereafter, the involvement of the 5th accused was revealed. He was taken into custody on 03.03.2022 and after questioning him convincing about his involvement in the crime, he was arrested at 12.00 hours on 03.03.2022. Arrest memo is Ext.P605; inspection memo is Ext.P606 and custody memo is Ext.P607. After taking into Police custody, on questioning, he confessed that the hatchet was concealed by him at a place and he was ready to show the place and hatchet. Thus, they have reached Pallimukku junction near Kottankulangara and on the side of the road leading to Aspinval area, there was a culvert near the house of Abraham, S/o. Kurian and the accused took out the hatchet from the thodu beneath the culvert and that was seized in the presence of witnesses at 17.35 hours on 03.03.2022 by Ext.P77 mahazar. The confession extract is Ext.P77(b). The weapon is one among the MO5 series and the property list is Ext.P609. PW75 is the witness to the recovery mahazar Ext.P77.

243. On further questioning, the accused confessed that he has concealed the clothes and thereafter burnt it at a place and he was ready to show the place. Thus, they have reached the road leading to Ponnad Muhamma bhagom and about 50 metres away from Ponnad School junction, on the north of the house of Shiyas, Kuttikkattu, the accused pointed out the place where the clothes were burnt and ash was recovered in the presence of witnesses at 18.30 hours on 03.03.2022. The mahazar is Ext.P256 and the confession extract is Ext.P256(b). The ash packet is MO93 and the property list is Ext.P609. PW137 who is the ward member of LDF of Mannancherry Panchayath is the witness to Ext.P256 for the recovery of MO41 packet of ash.

244. The accused No.9 has given confession to PW154, Ext.P237(d) and on its basis, MO30 motorcycle was recovered and the mahazar is Ext.P237. PW154 has taken into custody one Asif Sudheer @Achu and after arrest, he was produced before Court and his Police custody was obtained. He confessed about the motorcycle, MO28 and that was seized by Ext.P623 mahazar in the presence of witnesses on 01.01.2022 at 15.30 hours.

245. Strong objections were raised from the side of the defence with respect to the recoveries made on the basis of the disclosure statement i.e., confessions and consequent recoveries. As per the latest decision of the

Hon'ble Supreme Court in **Ramanand @Nandlal Bharti v. State of Uttar Pradesh, 2022 KHC 7083,**

“The Investigating Officer shall record the disclosure statement of the accused in the presence of two independent witnesses and the exact statement or rather exact words uttered by the accused shall be incorporated in the first part of the panchnama that the Investigating Officer may draw at the Police Station”.

It was further held:

“Once the first part of the panchnama is completed, the Police party along with the accused and the two independent witnesses shall proceed to the particular place as may led by the accused and if from that particular place anything like weapon of offence or blood stained clothes or any other article is recovered, then that part of the entire process should form the second part of the panchnama”.

246. On the same day, another decision was passed by the Hon'ble Supreme Court ie., **2022 KHC 7088, Subramanya v. State of Karnataka** and that reiterated that the law expects that the above procedure shall be followed by the Investigating Officer for preparing the discovery panchnama as contemplated under Section 27 of the Indian Evidence Act. But, the Division

Bench of the Hon'ble Kerala High Court in **Madhusoothan @ Rageesh Gouda**

v. State of Kerala, 2023 KHC Online 9140 held:

“It is true that no independent witnesses were present when Ext. P19(a) disclosure statement of A1 was recorded by PW 53 and no independent witnesses have been examined to prove Ext. P19 mahazar prepared when the recovered articles were seized. Here we refer to the dictum in H.P . Administration v. Om Prakash, 1972 KHC 377 wherein it has been held that the evidence relating to recoveries is not similar to that contemplated under Section 103 Cr.P.C. where searches are required to be made in the presence of two or more inhabitants of the locality in which the place to be searched is situated. In an investigation under Section 157, the recoveries could be proved even by the solitary evidence of the investigating officer if his evidence could otherwise be believed. We also refer to the dictum in State of Himachal Pradesh v. Jeet Singh, 1999 KHC 451. In the said case the circumstance of recovery was repelled by the High Court on the ground that the witness who was present when the recovery was made,said that the accused had not made any disclosure statement. It must have been during the interrogation of the accused that he would have made the disclosures. It has been held that it is not necessary that other witnesses should be present when accused was interrogated by the

investigating officer. On the contrary, investigating officers interrogate the accused persons without the presence of others. So, the mere fact that any witness to the recovery did not overhear disclosure statements of the accused is hardly sufficient to hold that no such disclosures were made by the accused.”.

247. In **Praveen Kumar v. State of Karnataka, 2003 KHC 1903** and **State v. Sunil, 2001 KHC 37**, the Hon'ble Supreme Court held that it is fallacious impression that when recovery is effected pursuant to any statement made by the accused, the document prepared by the Investigating Officers contemporaneous with such recovery must necessarily be attested by independent witnesses. It is further held that if any such statement leads to the recovery of any article, it is upon the Investigating Officer to take the signature or any person present at that time on the document prepared for such recovery. But, if no witness was present or if no person had agreed to affix his signature on the document, such document prepared by the Police Officer must not be treated as tainted and the recovery evidence unreliable. This view was reiterated by the Hon'ble Supreme Court in **Mukesh v. State, 2017 KHC 6396**. Likewise, in **Sabu @Itty Sabu v. State of Kerala, 2023(2) KHC 229** also, the decision of Subramanya was not followed. In **Mukesh v.**

State, 2017 KHC 6396, the Hon'ble Supreme Court held that once the recovery is proved by the prosecution, the burden of proof on the defence to rebut the same is very strict, which cannot be discharged merely by pointing out procedural irregularities in making the recoveries.

248. So, because of these facts and the decisions referred above, I am of the view that the recoveries effected are legal and are supported by the testimonies of witnesses who have witnessed the recoveries. The learned defence counsel have relied upon 2022 KHC Online 6789, Khema @Khem Chandra Etc. v. State of Uttar Pradesh and 2023 Live Law (SC) 50, Bobby v. State of Kerala.

249. The blood samples of the 5th accused collected and the inventory of the same is Ext.P198. The property list of the sample is Ext.P613 and the collection of evidence certificate given by the Surgeon produced before Court in form-15 is Ext.P614.

250. PW154 as per the direction of PW156 reached the house of the 3rd accused. Ext.P428 is the search list and Ext.P429 is a diary obtained which was produced before the Court describing in form-15 as Ext.P615.

251. The Fingerprint Expert has given a report and that report is produced before Court. When the Fingerprint Expert got a chance print from the scene of occurrence, she had given a report and that is Ext.P137. The

photographs of the fingerprints obtained from the Innova car, Splendour bike, TVS bike, Passion bike are produced before the Court in form-15 as Ext.P616 and the inventory of the same is Ext.P193. The Fingerprint Expert has produced the palm print of the 1st accused and that is Ext.P139 to 141 series. The report of the Fingerprint Expert, Ext.P138 has been produced through Tester Inspector. The fingerprint search slip of the 1st accused is Ext.P140. The fingerprint of the 1st accused are produced before the Court in form-15 as Ext.P633.

252. Thus, PW156 came to the conclusion that the accused persons together, within a very short time, inflicted severe injuries on the body of the victim and they are well trained. Their intention was to show the world that they are the persons committing the said crime. This conclusion he could arrive because of the fact that when the CCTV visuals have been verified and seen by the witnesses, some of the accused persons have helmets and some have covered the head. But, when they have reached the house of PW1, they have kept their vehicles somewhere a little bit away and they might have removed the helmets also. That is the reason why PWs1, 2 and 8 clearly narrated before the court the peculiarities of each of the accused who had barged into the house and committed the offence.

253. PW154 has prepared forwarding notes for sending the samples to the Forensic Science Laboratory as Ext.P624, Ext.P625, Ext.P628 and Ext.P629. The forwarding notes to the Regional Forensic Science Laboratory are Exts.P626 and P627. The samples received from Regional Forensic Science Laboratory are requested to be sent to Single Digit Fingerprint Bureau and that request is Ext.P630. The images obtained from the Regional Forensic Science Laboratory on 07.03.2022 are Ext.P631 series, six sheets. In the said image, against the name of 'Shan', the name of 'Ranjith Sreenivasan' is seen written and that particular image is Ext.P631(a). There are photographs of Ranjith Sreenivasan, his wife-PW2, younger daughter-PW8 and another child.

254. The photos taken by PW87 are Ext.P648 series, six sheets and the form-15 of the same is Ext.P649. The report from the State Forensic Science Laboratory is Ext.P651. The chemical examination reports are Exts.P652 series. The State Forensic Science Laboratory report dated 05.10.2022 including the report of DNA profiling is Ext.P653. The report of the Serology is Ext.P654.

255. The property list of 150 pendrives which were taken for giving copies to the accused is Exts.P655(a). 26 pendrives are also produced by property list, Ext.P655(b). The report from the Regional Forensic Science Laboratory dated 23.03.2023 is Ext.P656. The call detail records are analysed and diagrams Exts.P371 to 389 were prepared by PW153, Cyber Cell Inspector,

Alappuzha. The difference in time in the CCTV visuals with respect to the IST and also with the help of google map, route map prepared and those are Exts.P268 to 270. Those were produced describing in property list, Ext.P657. The defence case that entire copies of documents were not served upon them is not correct.

256. Section 354 of IPC was earlier added and later, it was deleted by filing Ext.P662 report. Likewise, the rank of accused persons changed and a report filed as Ext.P663. Thereafter, he had given a request for conducting the test identification parade.

257. The prosecution has cited PW77, the Asst. Executive Engineer of KSEB, Kurichi Section to prove that between 06.00 a.m. to 07.00 a.m. on 19.12.2021, there was no interruption to the power supply of the area where house of PW1 situates and he has given Ext.P78 certificate. Site plans have been prepared by PW78, the Village Officer, Aryad South. He has prepared the scene plan of the place near Thiruvilakku Bhagom on the basis of Ext.P60 mahazar and that site plan is Ext.P79.

258. Another site plan is prepared reaching the shed, which is on the north of Thalavady junction and that plan is Ext.P80. The 'Kensa Fancy shop' with CCTV can be seen and likewise from Thalavadi junction to west about 100 metres, there is 'Joy Villa' and it reaches upto Chathanad junction. He had

also certified that the property having an extent of 3.63 Ares in resurvey 4 in block 117 of Aryad South Village belongs to four persons ie., Rukkiya Beevi, Sulekha, Nazeema and Zeeneth and that certificate is Ext.P81. He also issued the caste certificate by way of a report to Tahsildar, Ambalappuzha which would show that the 4th accused is a permanent resident of Erangattu house at Kottankulangara Ward and he belongs to Muslim – Islam and that certificate is Ext.P82.

259. PW79 is the Village Officer of Mullakkal Village. She has prepared the site plan showing the location of Mohiyuddin Juma Masjid, Chathanad. In that plan, the material routes are noted and that plan is Ext.P83. It was on the basis of a running mahazar prepared by PW156. The caste certificate issued and reported to Tahsildar, Ambalappuzha by her shows that accused Nos.10 and 15 belong to Muslim – Islam and that certificate is Ext.P84.

260. PW80 is the Village Officer, Komalapuram. On the basis of the route map, he has prepared the site plan with respect to the single room building and in that plan, house of Varghese ie., Joy Villa and house of Manoj, S/o. James are noted. That site plan is Ext.P85. He has also issued the possession certificate of Shamsudeen, father of the 1st accused with respect to 1.62 Ares of property at Machanad Colony in Mannancherry Muri and that certificate is Ext.P86. The 2.83 Ares in resurvey No.368/15-2-4 in Block No.7

in Aryad South Muri belongs to the 11th accused and that certificate is Ext.P87. It is further reported that the property of 2.20 Ares in resurvey 368/15-2-6 of Mullakkal Village belongs to Farisha, wife of Binu and that report is Ext.P88. He has further certified that accused Nos.1, 11 and 12 belong to Muslim -Islam and that certificate is Ext.P89.

261. PW81 is the Village Officer, Mannancherry. On the basis of Ext.P42 mahazar, he prepared the site plan with respect to the house near the mosque at Apoor Bhagom at Ambanakulangara and it is marked as Ext.P90. She has also prepared another site plan, Ext.P91 on the basis of Ext.P43 mahazar. The ownership certificate issued is Ext.P92 with respect to the property of one Kabeer, S/o. Hamsa of 4.56 Ares in resurvey 447/6/6 in Mannancherry Village. She has further issued caste certificate to the Tahsildar, Ambalappuzha and as per that, accused Nos.2, 6, 8, 13, 14, one Abdul Khader and Haris P.S. belong to Muslim – Islam. The said certificate is Ext.P93.

262. PW82 is the Village Officer, Alappuzha West Village. He prepared the site plan of the place of occurrence ie., the place where the house of Advocate situates. The exact place of occurrence is the dining hall in the house and that was prepared on the basis of the Ext.P114 scene mahazar prepared by PW154 and the site plan is Ext.P94.

263. The house has two storeys and he has described the exact place which is the next room of the hall and the kitchen and three bedrooms are on the sides of the said dining hall. All these are opening towards the dining room. In the upstairs also, there is a bedroom and there is open space and hall. There are windows in the ground floor on the eastern side of the kitchen as well as on the eastern side of the hall, southern side of the dining room and there are electric fittings in all the rooms and there are electric lights as well as fans. That site plan is Ext.P95.

264. He has also prepared the route map with respect to the route, by which, the accused persons approached the place of occurrence and it was on the basis of the running mahazar and that route map is Ext.P96. The entire shops that were mentioned when the CCTV visuals were analysed could be seen in the route as per the route plan. Again, he has gone to another route i.e., the place to which the accused persons had conspired, one is the house of PW118 and that route map is Ext.P97.

265. Thereafter, he had reached the place where another conspiracy took place at Railway Station road and he noted the said places and that plan is Ext.P98. 'Bilal Chicken Centre' was an identifying mark mentioned by PW25 and that is also noted.

266. It is true that the door of the dining hall and the main hall are not in straight line. The dining hall is a spacious one and a person if stands at the door of the main hall, he could see what is happening inside the dining room because both are spacious rooms. The address report as well as caste certificate of accused Nos.3, 7, 9 and 15 are also issued by PW82 and that certificate is Ext.P99.

267. PW83 is the Tahsildar, Ambalappuzha. She had received the certificates issued by her Subordinates Pws78 to 82 and has produced those certificates and site plans before the Investigating Officer, which are Exts.P80, 82 to 85, 89, 93, 96 and 99. She had also issued another certificate, Ext.P100 and it would show that accused Nos. 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, Abdul Khadar, Haris P.S.are Muslims in Islam religion.

268. PW84 is the Revenue Officer of Alappuzha Municipality. There was a request for issuing the ownership certificate of a building belongs to Abdul Rahim, but it could not be issued because it was an unauthorized building and that report is Ext.P10. The said building situates near Irshad mosque. As per the request, sanction was given to construct a roofed tiled building with three rooms and kitchen and permission was given to one Basheer with respect to building No.XXV/191. But, now it is a building with three rooms on the ground floor and two halls, kitchen and toilet in the first

floor. There is a stair room with 1300 sq. ft area. That detailed report is Ext.P102.

269. PW85 is the Municipal Secretary of Alappuzha and she is the superior officer of PW84. PW85 produced Exts. P101 and 102 submitted to her by PW84 and had given to PW156, the Investigating Officer.

270. PW29 is a witness who heard that the Splendour bike KL-4-AD-2341 was taken by the Police from the premises of the house of Shihab. He had seen the vehicle in the Court premises, but at present, in the court, the said vehicle has another number. PW42 is the Advocate clerk attached to the office of the Advocate. According to him, room No.117 in Sathram building was the office of the Advocate and his wife.

271. PW65 is the witness to the recovery mahazar Ext.P57, on the basis of which, one of the hatchets in MO5 series recovered. He has also identified the 4th accused in the dock as the person who had shown the weapon because of his appearance, even if his face was covered.

272. PW69 is the Secretary of Aryad Grama Panchayath and she had given the ownership certificate, Ext.P64 showing that Shameer is the owner of house No. X/220. PW70 is the Secretary of Mannancherry Grama Panchayath and he has issued Ext.P65 ownership certificate of building No. XVII/283 showing that the said house belongs to Shaji, Thekkevila. He had also issued

Ext.P66 ownership certificate showing that building No.XVII/284A belongs to PW118. Ext.67 is the ownership certificate issued by him showing that building No. VII/207 (old No. VII/274/A) belongs to the 12th accused. Ext.P68 is the ownership certificate showing that building No.V/557 (old No.1/246/A) belongs to Suhara Daru Sabeel.

273. PW71 is the Superintendent of Alappuzha Municipality and he issued the ownership certificate Ext.P70 showing that building No.25/304 (old No.26/633) in the ground floor and No.25/305 (old No.26/633A) in the upstairs belong to Smt. Vinodini Sreenivasan, PW1. Ext.P71 issued by him showing that building No.31/792B (old No.31/727) belongs to Salim and Nazeela. Ext.P72 issued by him showing that building No.V/69A belongs to Jamalkutty, Erangattuhouse. Ext.P73 is issued for the ownership of building No.30/830A of Surumi Nazar and the 3rd accused. PW74 shows that building No.13/306 (old No.28/432) belongs to the 10th accused.

274. PW88 is the Assistant Motor Vehicle Inspector of R.T.O., Mavelikara. He has issued the report showing the assessment of damages of vehicles KL-4-AK-6879 motorcycle and KL-4-AP-1965 Maruti car and the reports are Exts.P106 and 107 respectively showing damages to the tune of ₹16,000/- and ₹21,000/- respectively. PW90 is the person who reached the

house of Advocate immediately after the incident and he is an attesting witness to the scene mahazar, Ext.P114.

275. PW91 is the Regional Transport Officer of Alappuzha. He has verified the R.C. particulars of the vehicles involved in the crime. The RC particulars of KL-4-AD-11965 is Ext.P116 and it belongs to PW2. The RC particulars of KL-4-AK-6879 is Ext.P117 and it belonged to Advocate Ranjith Sreenivasan. The RC particulars of KL-4-AR-4990 (MO27) is Ext.P118 and it belongs to Surmi N., wife of the third accused. The MVI report of the said vehicle is Ext.P130. The RC particulars of KL-4-AM-7048 (MO30) is Ext.P119 and it belongs to the 9th accused and the MVI report is Ext.P131. The RC particulars of KL-4-AK-7167 (MO31) is Ext.P120 and the MVI report is Ext.P132. The RC particulars of KL-4-AR-5285 (MO29) is Ext.P121 and the MVI report is Ext.P129 and it belongs to the 6th accused. The RC particulars of KL-1-BA-3535 (MO88) is Ext.P122 and the MVI report is Ext.P128 and it belongs to the 14th accused. The RC particulars of KL-4-AD-2341 (MO28) is Ext.P124 and the MVI report of the same is Ext.P126 and it belongs to Shihab. The RC particulars of KL-4-AQ-9098 (MO26) is Ext.P125 and the MVI report is Ext.P127 and it belongs to Sajeer, an accused who is not facing trial in this case. The 65B certificate issued with respect to the issuance of RC particulars

of vehicles KL-4-AD-2341 and KL-4-AQ-9098 is Ext.P123 and that of the other vehicles is Ext.P115.

276. PW97 is the Assistant Superintendent of District Jail, Ernakulam and in his presence, the specimen handwriting of the third accused was taken and the mahazars prepared in his presence are Exts.P169(s1), P169(a)(s2), P169(b)(s3), P169(c)(s4) 169(d)(s5) and 169(e)(s6). The handwriting was taken with the order of the learned Magistrate.

277. PW98 is the Civil Police Officer attached to the Head Quarters of District Police, Alappuzha and he conducted scene guard duty of motorcycle KL-04-AR-4990 in front of the house of PW39 and the mahazar prepared by PW154 for the recovery of the same is Ext.P24. He identified the vehicle at the premises of the Court also.

278. PW99 is Civil Police Officer attached to the Alappuzha South Police Station and he has witnessed the inventory that was prepared by PW154 when PW114, CPO produced the specimens collected at the time of post mortem to the Investigating Officer and that mahazar is Ext.P170.

279. PW100 is Civil Police Officer attached to the North Police Station, Alappuzha and he witnessed the three inventories prepared by PW156 on perusing the call detail records and customer application forms of Airtel, Jio,

Vodafone, Idea, BSNL companies. Those inventories are Exts.P171 to 177 series.

280. PW101 is Grade S.I. of Traffic Enforcement Unit, Alappuzh. He assisted PW156 in the investigation. He witnessed the questioning of the 11th accused in the presence of Sajeer and the mahazar prepared with respect to that is Ext.P178. PW102 is the Police driver of Alappuzha Dy.S.P. Office and he was driving the vehicle at the time when the running mahazar was prepared along with the 2nd accused and that mahazar is Ext.P179.

281. PW130 is Woman Civil Police Officer of Punnapra Police Station and she witnessed the inventory that was prepared by PW154 with respect to the examination of MOs by the Scientific Officer and that inventory mahazar is Ext.P144. PW104 is Woman Police Officer attached to Alappuzha South Police Station and she is the witness to Ext.P145 mahazar when the Scientific Officer collected the specimens from the seized motorcycles. She is also a witness to Ext.P147 inventory mahazar also.

282. PW105 is the Assistant Sub Inspector of Rural Cyber Police Station, Kollam and he prepared the hash value reports with respect to the pendrives when the CCTV visuals copied in the same. He used the software true back for the said calculation and the hash value reports prepared by him are Ext.P180, P181 and P182.

283. PW106 is the Assistant Sub Inspector of Police, Alappuzha South Police Station and he assisted PW156, thereby, he witnessed the collection of CCTV visuals prepared by PW143. The mahazar prepared is Ext.P186. He was also a witness to the running mahazar, Ext.P179. He was in the team of Police when the house of the 3rd accused was seached and the search list is Ext.P187.

284. PW107 is Civil Police Officer attached to the Alappuzha South Police Station and he is the witness to the inventory mahazar Ext.P146, by which, the Fingerprint Expert and Scientific Officer examined the motorcycles seized. The body samples from accused Nos.7 and 10 were also collected in his presence and that inventory is Ext.P148. Likewise, the specimens from accused No.2 and 11 were collected by Ext.P189 inventory mahazar. He is also a witness to the mahazars Exts.P149, 150, 178, 190, 191 and 193 and all are pertaining to the body samples as well as specimens from vehicles.

285. PW108 is the Civil Police Officer attached to the South Police Station, Alappuzha and he witnessed the inventory for the photographs of the fingerprints, Ext.P193 and also the samples collected by the Doctor for DNA profiling, Ext.P194. The photographs produced by the Department photographer to PW156 are seized by Ext.P195 inventory mahazar and he is also a witness to the documents from service providers, Exts.P171 to 174 and

the inventory of the same is Ext.P196. He is also a witness to the inventories Exts.P174, 197, 198 and 199.

286. PW109 is Civil Police Officer attached to the Alappuzha North Police Station and he collected the fingerprints by the automated fingerprint identification system and helped PW156 for the same. PW110 is Civil Police Officer in the patrolling team in the early morning of 19.12.2021 and as per the direction, he reached the place of occurrence and he was directed to do scene guard duty and that was done from 08.00 am to 10.20 a.m.

287. PW114 is Civil Police Officer of Alappuzha South Police Station and he has done the guard duty of the dead body of the Advocate and also helped PW146 to conduct the inquest. Thereafter, post mortem was done and the samples collected by the Police Surgeon in six sealed packets were taken to the lab by him and the receipt is Ext.P212.

288. PW112 is the Assistant Sub Inspector of Police, Alappuzha South Police Station who was on G.D. charge at 06.30 a.m. on 19.12.2021. According to him, an information was received that there was an attack near Gopu Nandilath junction and that information was immediately passed to the patrolling team and also informed the Inspector SHO and S.I.

289. PW116 is Civil Police Officer attached to Alappuzha Cyber Police Station and he calculated the hash value and the reports are Exts.P213 and

216. PW117 is Civil Police Officer, Cyber Police Station, Alappuzha who calculated the hash value and the reports are Exts.P217, 218, 219, 220, 220 and the mahazar for the same is Ext.P222.

290. PW118 is the owner of the building in Ward No.17 of Mannancherry Panchayath where there was conspiracy and she would admit that it was given on rent and one Shaji was entrusted to give the building for rent. But, she has not supported the prosecution case.

291. PW124 is a goods auto-rickshaw driver. According to him, on 19.12.2021, while he was sitting in a tea-shop near his house, the 13th accused, a SDPI leader reached there and while washing his hands for having tea, he was telling that "*Can dig now for Mayyath (deadbody)*". The time was 07.30 a.m. on that day and he identified the 13th accused.

292. PW127 is conducting a shop near 'Thengummoottil Paper Marts' and he identified his signature in Ext.P214 mahazar, but he did not support the prosecution case that the Police have come and collected the CCTV visuals in the pendrive. PW130 is the driver of 'Mattupavil Spare Parts' conducted by PW121. He did not support the prosecution case. PW135 is the technician said to have collected the CCTV visuals from Mohiyudeen mosque. He did not support the prosecution case.

293. PW143 is the Sub Inspector of Police, Alappuzha North Police Station who has collected the CCTV visuals in T7/P18 pendrive from the camera of Juma Masjid, Chathanad where the time is one minute slower than IST. From the camera of 'Bright Electricals' at Vazhicherry, visuals were collected in P10 pendrive and the time is three minutes slower than IST. From the camera of 'Joy Villa' of Varghese, visuals were collected in pendrive by preparing Ext.P185 mahazar and the time is 30 minutes slower than IST. From the camera of 'Kensa Fancy', visuals were collected in Ext.P17 pendrive by preparing Ext.P186 mahazar and the time is 13 minutes slower than IST.

294. PW150 is the Sub Inspector of Police, Alappuzha South Police Station who recorded Ext.P1 F.I. Statement at 09.00 a.m. and registered Ext.P271 F.I.R. Regarding the technical problem for registering the same, Ext.P272 report was filed.

295. PW151 is the Inspector of Police, Mannancherry. He has searched for accused Nos.1, 5, 6 and 8 on 26.12.2021, 10.01.2022, 27.01.2022, 09.02.2022 and 21.02.2022 and those reports are Exts.P274 to 279 respectively.

296. Inspector, SHO, Mararikulam, PW152 conducted search in the house of the 12th accused and seized the items as per Ext.P280 search list and Ext.P281 is the search memo. The items are MOs46 to 58 and he also

searched for accused Nos.2, 4 and 12 on 04.01.2022, 07.01.2022, 12.01.2022 and 20.01.2022 and they were not found in their house or premises. The reports are Exts.P365 to 369.

297. PW153 prepared the diagram, analysing the call detail records and the diagrams are Exts.P372 to 386. There is separate diagram showing the communication of the accused persons and that is Ext.P387.

298. In view of the discussions in point Nos.1 and 14, it has been conclusively proved beyond reasonable doubt that the murder of the Advocate was committed by accused Nos.1 to 8. But, for accomplishing the said purpose, accused Nos.1 to 15 have become members of an unlawful assembly. This fact is proved through the conspiracies that has been established as:

- a) at 08.00 p.m. on 18.12.2021 over the terrace of the house of the 14th accused by accused Nos.1, 2, 4, 5, 6, 8, 11 to 14 and 16 to 26;
- b) at 08.30 p.m. on 18.12.2021 at the PFI office, Vellakinar by accused Nos.3, 7, 9, 10, 15, 27 to 31;
- c) at 08.50 p.m. on 18.12.2021 accused Nos.2 and 12 reached the Advocate's Office;
- d) at 10.30 p.m. on 18.12.2021, accused Nos.3 and 13 reached in front of the house of PW1 and informed the same to the 13th accused;

- e) at 11.30 p.m. on 18.12.2021, accused Nos.1, 3, 13, 14, 16 and 18 to 24 assembled at the house of PW118 at Ambanakulangara junction;
- f) at 01.00 a.m. on 19.12.2021, accused Nos.1, 2, 4, 5, 6, 8, 11 and 12 assembled in the single room building at Pallimukku junction; and
- g) at 01.35 a.m. on 19.12.2021, accused Nos.3, 14, 16 and 29 had assembly in the compound of Kunnumpuram Masjid.

299. There was a contention from the side of defence that Section 34 of IPC has not been charged against the accused persons, but only Section 149 of IPC is charged. Section 34 of IPC speaks of common intention, but Sec.149 of IPC contemplates common object which is undoubtedly wider in its scope and amplitude than common intention. If the offence committed by a member of an unlawful assembly is in prosecution of the common object of the unlawful assembly or such as the members of that assembly knew to be likely to be committed in prosecution of the common object, all other members of the unlawful assembly would be guilty of that offence u/s.149 of IPC, although they may not have intended to do it or participated in the actual commission of that offence.

300. It has been laid down in **Barendra Kumar Ghosh v. Emp.**, AIR 1925 Privy Council 1(7):

“Criminal conspiracy differs from other offences in that mere agreement is made an offence even if no step is taken to carry it out. Though there is close association of conspiracy with incitement and abetment, the substantive offence of criminal conspiracy is somewhat wider in amplitude. A conspiracy from its very nature is generally hatched in secrecy. It is therefore, extremely rare that direct evidence in proof of conspiracy can be forthcoming from wholly disinterested quarters. But, like other offences, criminal conspiracy can be proved by circumstantial evidence. Indeed, in most cases, proof of conspiracy is generally inferential though the inference must be founded on solid facts”.

301. Section 34 of IPC requires not only common intention, but also participation in the crime, if a specific offence is added on some of the conspirators in pursuance of the conspiracy, the common intention of all would not be enough to fasten the guilt on all of them. Sec.34 of IPC is applicable when some criminal act is done jointly in furtherance of common intention of all while conspiracy is merely an agreement to commit a crime. Addition of Section 34 of IPC does not convert it to a conspiracy charge.

302. The Hon'ble Supreme Court in AIR 1973 2221, **Amar Singh v. State of Haryana** held:

“If the facts to be proved and the evidence to be adduced with reference to the charge under Section 149 would be the same if the charge were under Section 34, then, the failure to charge the accused under S.34 cannot result in any prejudice and in such cases the substitution of Sec.34 for Sec.149 must be held to be a formal matter”.

303. Whereas Sec.109 of IPC is abetment. Conspiracy is one form of abetment and where an offence is alleged to have been committed by more than two persons, such of them actually took part in the commission should be charged with the substantive offence while those who are alleged to have abetted it by conspiracy should be charged with the offence of abetment u/s.109 of IPC.

304. Where an offence is committed in conspiracy, it is optional for the prosecution to proceed over u/s.107 of IPC for abetment of offence by conspiracy or under Section 120B of the said Code. Conspiracy is something more than abetment. If the accused persons together conspired and some of them actually executed the same, all the accused could be convicted with the aid of Section 34 where Section 149 become inapplicable. If the evidence discloses commission of an offence in furtherance of common intention of all

of the them, then there should be no bar to convict the accused u/s.302 of IPC with the aid of 34 of IPC. If the conviction of the accused under Section 302 r/w.34 of IPC when they had been charged only under Section 302 r/w. Section 149 of IPC would not be illegal if the facts proved that there is sharing of common intention by all the accused persons.

305. So, all the accused persons have repeatedly became part of unlawful assembly and their common object was to commit murder of the Advocate and in prosecution of the said object, after sharing common intention, they reached the house of PW1 at 06.33 a.m. on 19.12.2021 and committed the offence . So, it has been proved that all the accused have become members of an unlawful assembly and the assembly was with the knowledge that they are likely to commit an offence punishable with imprisonment.

306. The evidence categorically proved the fact that accused Nos.1 to 12 armed with deadly weapons. So, it has been proved that accused Nos.1 to 12 have committed rioting with deadly weapons and hence they became members of an unlawful assembly in prosecution of the common object, armed with deadly weapons. Hence, these points are found in favour of the prosecution.

307. **Point No.7:-** It has been proved that accused Nos.1 to 8 committed criminal house trespass into the house of PW1 for the purpose of

committing an offence punishable with death. So, they are liable for the offence punishable u/s.449 of the Indian Penal Code. Hence, this point is found in favour of the prosecution.

308. **Point No.8:-** Accused Nos. 1 to 12 have entered into the property and it was a criminal trespass. They remained there for committing the offence of murder and also to intimidate PW1. Therefore, they are liable for the offence punishable u/s.447 of the Indian Penal Code. Since accused Nos.1 to 8 are found liable u/s.449 of IPC, no separate conviction on them u/s.447 of IPC.

309. **Point No.9:-** The available evidence would categorically prove that accused Nos.1, 5, 9, 11 and 12 committed mischief by destroying the glass teapoy and also damaged the car and motorcycle owned by PWs1, 2 and the Advocate, causing a loss of Rs.37,000/-. There are supporting documents of the Motor Vehicle Inspector as well as of the Investigating Officer. So, they are liable under Sec.427 of the Indian Penal Code. Hence, This point is also found in favour of the prosecution.

310. **Point Nos.10 and 13:-** When eight persons armed with deadly weapons rushed into the house of PW1 and restrained her to enter into her house and also with a sword, caused injury over the back of her would categorically prove that she was put under fear of death by accused Nos.1 and

8. They have also voluntarily caused hurt to her by fisting and there are nail marks and contusions over her body which could be proved through the wound certificate. Hence, these points are found in favour of the prosecution.

311. **Point Nos.11 and 12:-** Accused No.7 put the sword over the neck of PW1 and the accused No.8 also kept the sword-stick over her and caused injury with that over her back. The 7th accused fisted on her chest and back. The second accused pushed PW2 aside. So, it has been proved that the accused persons voluntarily caused hurt to PW1 with dangerous weapons likely to cause death, so, they are liable for the offence punishable u/s.324 r/w.149 of the Indian Penal Code. These points are also found in favour of the prosecution.

312. **Point Nos.5 & 6:-** As discussed earlier, there was clear conspiracy which could be established through the testimony of witnesses, their call details and the tower location. So, the commission of offence as alleged by the prosecution could be established through these evidence.

313. **Point No.16:-** It has already been discussed in detail regarding the recovery of weapons as well as ash, by which the clothes worn by the accused persons were burnt. All the two wheelers i.e., four motorcycles and two Activa scooters were recovered on the basis of confession and in all the vehicles, there were blood stains. All were kept concealed at some places except the two of

which, one is in the parking ground of the Medical College Hospital and the other is in front of the house of PW139. Likewise, the clothes which were washed and cleaned, a mobile phone in which the necessary details of the alleged offence and the list of victims were all recovered. Even the FSL report revealed that the ashes examined are of burned clothes. So, I am of the view that none of the arguments advanced from the side of the accused persons found to be sustainable in the facts and circumstances of this case. So, accused Nos.1 to 9, 11 and 15 are liable u/s.201 of IPC.

314. **Point No.18:-** The accused persons have been in possession of dangerous weapons and that could be recovered from their disclosure statements and all those disclosure statements are proved through independent witnesses also. So, they are liable for the offence punishable u/s.27 of the Arms Act.

315. The learned defence counsel argued on the strength of the decisions 2017(1) KHC 418, **Madathil Narayanan and Others v. State of Kerala and Another**; 1973 KHC 634, **Kali Ram v. State of H.P.** and 2004 KHC 248, **Suchand Pal v. Phani Pal** that if two views are possible on the evidence adduced in this case, the view which is favourable to the accused should be adopted. The learned counsel have relied upon 1976 KHC 648, **Mahmood v. State of U.P.** to substantiate that the solitary piece of

circumstantial evidence on which the prosecution has staked their case, is too shaky, suspicious and fragile to furnish a sound foundation for conviction.

316. The learned counsel relied upon **2010 KHC 4320, Eknath Ganpat Aher and Others v. State of Maharashtra and Others** to argue on the point that the accused persons are entitled to benefit of doubt. It is held therein that *it is an accepted preposition that in the case of group rivalries and enmities, there is a general tendency to rope in as many persons as possible as having participated in the assault – in such situations, the Courts are called upon to be very cautious and sift the evidence with care – Where after a close scrutiny of the evidence, a reasonable doubt arises in the mind of the Court with regard to the participation of any of those who have been roped in, the Court would be obliged to give the benefit of doubt to them.*

317. On analysis of the entire evidence on record, it can be concluded that it was a pre-planned murder that has been committed with cruelty. There was least resistance from the victim. The preparations are already described when the conspiracies of accused persons at different places have been clearly mentioned, with the aid of call detail records and the tower locations. It is also to be seen that at the time when the alleged incident took place, the patrolling team of Police was misled by giving a false message that an attack was going on at Nandilathu junction. Immediately, they reached the said

place, but there was nothing of that sort. Then, immediately they have searched for such an occurrence in the nearby places and at last when they have reached the Doraisir road, they could see the ambulance reaching the said house of occurrence. So, it is to be kept in mind that all possible precautions have been taken by the accused persons to keep away the Police force for the planned murder.

318. Another fact to be kept in mind that all the accused persons are Muslims of Islam religion and they are active office bearers of PFI as well as SDPI. That is not in dispute. The defence have an argument that even before the attack on Shan, the name of Ranjith Sreenivasan was in the list of accused persons cannot be believed because it is unsustainable and the reason is that that the name of the persons ie., Shan and the counter part name mentioned as Ranjith Sreenivasan are available with the wife of the 3rd accused in her mobile phone. So, it cannot be said that after the attack on Shan, such a plan was made because after the attack on Nandu R. Krishna, these accused persons along with their organization were waiting for a retaliation and they have the spot on Shan because they have assumed that Shan being the State leader would be the target of the other organization which is intended to retaliate and in case such a person is attacked, for which, they have made enough preparations.

319. Yet another fact is that most of the accused persons when reached near the house of PW1 were wearing mask and covered their head by wearing helmets, but at the relevant time of commission of offence, only a very few number of accused persons have mask on their face. It was not properly worn and it was seen on the chin of them. So, the intention of the accused persons is to create a fear in the mind of people and also to create a shock to show that in case anyone of them is touched or attacked, the consequence would be disastrous. The commission of offence was in front of the small child, wife and mother. The victim was actually without clothes below the waist.

320. So, what has been intended by the accused persons has been accomplished by them by the said gruesome murder. After the attack, all of them were absconding and they could be arrested later and the first arrest was on 21.12.2021 and 22.12.2021, but those accused persons are not facing trial in this case. The first arrest in this case was on 28.12.2021 ie., the arrest of third accused whereas the occurrence was on 19.12.2021. So, they wanted to interrupt the peace and tranquility in the society by taking law into their hands and caused fear in the mind of people that they are the persons who are fearless and are capable of doing anything, if they so desire. That is the reason why, without covering their face with mask or towel, they committed the offence in the early morning, that too, after hours on attack on Shan. Shan

was attacked and was taken to the local hospital at first and then to the hospital at Ernakulam. So, the nature of injury inflicted upon him can be presumed. It is not as in the manner in this case. So, I am of the view that since the accused Nos.1 to 8 have actually participated in the commission of the crime, they are liable to be punished u/s.302 of IPC.

321. The argument from the side of defence that Section 149 of IPC will come to play when the offence is affecting the public tranquility. When what has been committed by the accused persons is considered, it is of course against the public tranquility by destroying peace in the society and creating fear, so, it will definitely come within the purview of Section 149 of IPC. Accused Nos.9 to 12 have been physically present at the place of occurrence and their presence has been categorically proved through the testimony of PW1 as well as the call detail records and tower location. So, their identification by PW1 remains unchallenged even though she was thoroughly cross-examined. The only mistake she committed while identifying the accused who came on the tiled road in front of the house at 10.30 p.m on the previous night. It is quite natural that no person would presume that the said person has reached in front of the house so as to clearly locate the same and to verify the whereabouts of her son who was intended to be finished immediately.

322. Considering the facts that the accused persons 9 to 12 were present at the place of occurrence outside the house and they have damaged the vehicles parked outside and the recovery of weapons which are clearly discussed earlier, I am of the view that they are also liable for the same manner as that of accused Nos.1 to 8. So, with the aid of Section 149 of IPC, I find that accused Nos.9 to 12 are also liable to be punished u/s.302 of IPC.

323. Accused Nos. 13 to 15 are not available at the place of occurrence and their location is somewhere else. They are the actual persons or the brain for the preparations as well as conspiracy. The 14th accused is the husband of a ward member, a SDPI member. The 13th accused is the Zone President of Alappuzha town. The first conspiracy was happened on the terrace of the house of the 14th accused at 08.00 p.m. on 18.12.2021. The attack on Shan was at 07.27 p.m. on 18.12.2021. Within a few minutes, they have assembled and the 13th accused is the person who abetted others for the necessity to punish the leader in the State level as a retaliation. Thereafter, they have again assembled at 08.30 p.m. at the PFI office and then verified the presence of Advocate at his office. Thereafter, at 10.30 p.m.. in the same night they have reached the house of Advocate and that was seen by the mother who was waiting for her her younger son who had gone outside. Thereafter, at 11.30

p.m., they have assembled in the house of Selma Beevi, PW118, then at 01.00 a.m. in the single room building at Pallimukku and thereafter at 01.35 a.m., in the compound of Kunnumpurathu Masjid. After that, they have proceeded to the place of occurrence and again verified the place, gone another direction and then all the 12 accused persons together gone to the place of occurrence and committed the offence.

324. The recoveries of weapons and vehicles were on the basis of the confessions of accused Nos.14 and 15. So, the accused persons 13 to 15 are also liable for the same manner as if they have committed the offence of murder of Advocate. So, with the aid of Section 120B of IPC, I find that they are also liable for the same punishment for committing the murder of the Advocate as they have conspired along with other accused. The other accused are not made liable u/s.120B because they have accomplished the said conspiracy and committed the offence.

325. So, in view of these discussions, this Court found that the prosecution has established guilt of the accused persons beyond reasonable doubt. Hence, the accused Nos.1 to 15 are liable to be punished for the murder of the Advocate.

326. In view of the findings on the points raised, this Court arrived at the following findings:-

- i. All the accused persons ie., accused Nos.1 to 15 are found guilty of offence u/s.143 of IPC and they are convicted thereunder;
- ii. Accused Nos.1 to 12 are found guilty of offence u/s.147 of IPC and convicted thereunder;
- iii. Accused Nos.1 to 12 are found guilty of offence u/s.148 of IPC and convicted thereunder;
- iv. Accused Nos.1 to 8 are found guilty of offence u/s.449 r/w.Sec.149 of IPC and convicted thereunder. Since accused Nos.1 to 8 are already found guilty u/s.449 of IPC, there is no need for conviction u/s.447 of IPC;
- v. Accused Nos.9 to 12 are found guilty of offence u/s.447 r/w.Sec.149 of IPC and convicted thereunder;
- vi. Accused Nos.1, 5, 9, 11 and 12 are found guilty of offence u/s.427 r/w.Sec.149 of IPC and convicted thereunder;
- vii. Accused Nos.1 to 8 are found guilty of offence u/s.506(ii) r/w.Sec.149 of IPC and convicted thereunder;
- viii. Accused No.8 is found guilty of offence u/s.324 r/w. Sec.149 of IPC and convicted thereunder;

- ix. Accused Nos.2, 7 and 8 are found guilty of offence u/s.323 r/w.Sec.149 of IPC and convicted thereunder;
- x. Accused Nos.1 to 8 are found guilty of offence u/s.341 r/w.149 of IPC and convicted thereunder;
- xi. Accused Nos.1 to 8 are found guilty of offence u/s.302 r/w.Sec.149 of IPC and convicted thereunder;
- xii. Accused Nos.9 to 12 are found guilty of offence u/s.302 r/w.Sec.149 of IPC and convicted thereunder;
- xiii. Accused Nos. 13 to 15 are found guilty of offence u/s.302 r/w.Sec.120B of IPC and convicted thereunder. Since they are already found guilty u/s.302 r/w.Sec.120B IPC, there is no separate conviction u/s.109 of IPC.
- xiv. Accused Nos.1 to 9, 11 and 15 are found guilty of offence u/s.201 r/w.Sec.149 of IPC and convicted thereunder;
- xv. Accused Nos.1 to 12 are found guilty of offence u/s.27 of the Arms Act and convicted thereunder.

(Dictated to the C.A, typed by her, corrected by me and pronounced in open court on this the 20th day of January, 2024).

Sd/-
V.G. SREEDEVI
ADDITIONAL SESSIONS JUDGE-I

327. Heard the Special Prosecutor on 20.01.2024. He has placed reliance only on the scene mahazar which would show the nature of the gruesome murder on the victim. Parts of skull were seen scattered in the room. So, only on that aspect the learned Special Prosecutor was canvassing the capital punishment for the 15 accused persons.

328. Subsequently, report of the Superintendent of Sub Jail, Mavelikara where the accused persons were housed, report of District Probation Officer, Alappuzha regarding the social background of the accused persons, report from State as to the possibility of reformation and rehabilitation of the accused and the victim impact study report along with a report from the Psychiatrist were obtained. Copies served on defence.

329. The report of of the Superintendent, Special Sub Jail, Mavelikara shows that occasionally these accused persons have shown arrogance since they wanted more time for meeting their relatives or friends who were visiting the jail and also for permitting more time for telephone calls. Apart from that, there was no complaints from the Superintendent.

330. The District Probation Officer has only took details from the parents and close relatives of the accused persons and has collected the educational qualifications, their assets and property details and the said report has not given much help to this case because he only attempted to meet the

family members of the accused persons and has given a picture that the said persons are the caring ones for their respective family.

331. The report from the Psychiatrist of Medical College Hospital, Vandanam shows that accused Nos.4, 6 and 9 are showing symptoms of depression. The 14th accused is having high BP with diabetes and coronary artery disease. All are worried about their family and apart from that, there is no behavioral symptoms reported.

332. The report of the District Collector, Alappuzha shows that the accused persons are members of PFI, the banned Popular Front of India and they are active members and they never had any guilty feeling or repentance and they are ready even to loose their lives, finding pleasure for doing whatever they have been instructed to do by the said organization. They are hardcore criminals and there is no chance for any reformation or rehabilitation. They are even threatening the main witnesses in this case and in case any leniency shown, it would definitely cause mental stress on the witnesses who have adduced evidence in this case.

333. The learned counsel for the accused has placed reliance on so many judgments starting from **1980 KHC 667, Bachan Singh and Others v. State of Punjab and Others**. In the said decision, proposition what is rarest of rare cases has been considered and in what cases death penalty can be

imposed has been considered. Nine requirements have been laid down by the Hon'ble Supreme Court and only after satisfying these conditions, a court can come to the conclusion that the accused can be awarded with capital punishment. The conditions are as follows:

1. The offence of murder, rape, armed robbery, or kidnapping was committed by a person with a prior record of conviction for a capital felony, (or the offence of murder was committed by a person who has a substantial history of serious assaultive criminal convictions).
2. The offence of murder, rape armed robbery, or kidnapping was committed while the offender was engaged in the commission of another capital felony, or aggravated battery, or the offence of murder was committed while the offender was engaged in the commission of burglary or arson in the first degree.
3. The offender by his act of murder, armed robbery, or kidnapping knowingly created a great risk of death to more than one person in a public place by means of a weapon or device which would normally be hazardous to lives of more than one person.
4. The offender committed the offence of murder for himself or another, for the purpose of receiving money or any other thing of monetary value.

5. The offender caused for directed another to commit murder or committed murder as an agent or employee of another person.
6. The offence of murder, rape, armed robbery, or kidnapping was outrageously or wantonly vile, horrible or inhuman in that it involved torture, depravity of mind, or an aggravated battery to the victim.
7. The offence of murder was committed against any peace officer, correction employee or fireman while engaged in the performance of his official duties.
8. The offence of murder was committed by a person in, or who has escaped from, the lawful confinement.
9. The murder was committed for the purpose of avoiding, interfering with, or preventing a lawful arrest or custody in place of lawful confinement, of himself or another.

334. The said dictum has been followed by the Hon'ble Supreme Court in **1983 KHC 477, Machhi Singh and Others v. State of Punjab**. The guidelines given for the question of imposing death sentence has been considered in this case also.

335. Apart from those decisions, the latest decisions on the point are also placed by the learned counsel. In **2022 KHC 6597, Manoj and Others v. State of Madhya Pradesh** in paragraph No.180 onwards, the said Court has considered the question of sentence and it has been held that *the first aspect to be considered is whether there is possibility of reform of the accused who were all of young age*. In this case, the age of the accused persons is ranging from 26 to 51. *So, the Court has considered the circumstances both of the crime and the criminal and it has been cautioned that Judges should never be blood-thirsty. Hanging of murderers has never been good for them. A real and abiding concern for the dignity of human life postulates resistance to taking a life through law's instrumentality. So, the court has given the category of cases by studying the aggravating and mitigating circumstances and then the Court further directed to consider whether the alternative of life imprisonment was unquestionable foreclosed as the sentencing aim of reformation was unachievable, for which, the State must provide material. While considering the balancing of aggravating and mitigating circumstances and failure to apply the Bachan Singh's sentencing frame work uniformly, was leading to judge – centric and inconsistent jurisprudence in death penalty matters.*

336. It is further held after relying upon 2011(13)SCC 706, *Rajesh Kumar v. State* that *brutality in itself was not enough to impose death sentence. Death sentence is ordinarily ruled out and can only be imposing for special reasons as provided in S.354(3).*

337. Here, one pertinent aspect to be considered is that the accused persons might be justifying themselves for the alleged act because of their belief. In *Bachan Singh's* case, the Court considered that aspect also. In paragraph No.204, the Court held that *in the facts and circumstances of the case, the accused believed that he was morally justified in committing the offence is to be taken as a mitigating circumstance.* The family backgrounds of all the accused in this case have been received and except one, all others are hailing from very poor circumstances.

338. In 2010 KHC 284, *State of Kerala v. Navas @Mulanavas*, the Hon'ble High Court held that *life is such a precious commodity and the Constitution cherishes the human right of right to life so much that personal prejudices and predilections of the individual Judge have to be eliminated completely in the decision to judicially terminate and liquidate life. There cannot be Benches that are pro-death sentences and anti-death sentences.* It is further held therein that *one of the surest ways to correctly identify the fit case to impose the death sentence or to put it better to*

identify that case whether all the alternative options are unquestionable foreclosed, is to ascertain whether all unbiased trained judicial minds without doctrinaire prejudices and predilections are likely to unanimously endorsed and answer the question in favour of death sentence. Then and then alone can the graver option of death sentence be preferred by a court.

339. In 2011 KHC 31, **State of Kerala and Another v. Shijil** it is held that conduct and character of accused of his defiant attitude to answer questions regarding sentence shall not be a ground to include the offence in the category of rarest of rare cases.

340. In 2023 Live Law (SC) 361, **Digambar v. State of Maharashtra** also considered the question of imposing death sentence and held that *while considering as to whether the death sentence is to be inflicted or not, the court will have to consider not only the grave nature of crime, but also as to whether there was a possibility of reformation of a criminal.*

341. In 2023 KHC 6287, **Sundar @Sundarrajan v. State by Inspector of Police** is a case in which *the question whether sentencing hearing is required to be satisfied the rules of natural justice; that it is mandatory and is not a mere formality.*

342. In **2013 KHC 4085, Mohinder Singh v. State of Punjab**, the same principles have been adopted with respect to the chance of reformation of the accused persons and it is held that *the possibility of rehabilitation and reformation was not foreclosed*.

343. In **2002 KHC 1121, Prakash Dhawal, Kairnar (Patil) v. State of Maharashtra** when the High Court imposed death sentence, it was reduced by the Hon'ble Supreme Court to life imprisonment and held that sentence of imprisonment shall last as long as life lasts where there are exceptions indications of murderous recidivism and community cannot run the risk of the convict being at large. This takes care of judicial apprehensions that unless physically liquidated, the culprit may at some remote time repeat the murder.

344. In **2010 KHC 4526, State of U.P. v. Krishna Master and others**, it is held "Honour killing of an entire family would fall within the rarest of rare case. It was a case in which the entire family was wiped up by the accused. So, it was taken as a case of rarest of rare.

345. It is apposite to have a look into the decision of the Hon'ble Supreme Court in **2007(1) KHC 13, Acharam Parambathu Pradeepan v. State of Kerala**, the judgment of the Kerala High Court of the said case was **2005 KHC 937**. In the said case, the Hon'ble High Court has considered the question of sentence from paragraph 120 onwards at length upto 124 and

imposed death penalty which was already imposed by the Sessions Court. But, in the appeal, the Hon'ble Supreme Court by a two sentence consideration in paragraph No.75, it has been converted as one to life imprisonment.

346. Here, in this case, the main argument advanced from the side of the accused was that this is a case of retaliation attack. One among them, another Advocate, a State leader of their political party was attacked and killed. So, even as per the charge-sheet, it is a retaliation murder. There are ever so many political murders going on in the country. So, as held by the Hon'ble High Court, unless and until there is the unanimity in imposing death penalty for such crimes, it may not come to an end, but the sentencing may not be uniform in all cases.

347. The learned counsel has shown the post mortem certificate in the case of Shan ie., Crime No.621/2021 of Mannancherry Police Station and he pointed out that there are as many as 70 injuries in his body. But, 14 of them are abrasions and so many injuries are superficial in nature. It was a case that the said person was hit by a vehicle and thereafter attacked. That may be the reason for the said injuries. Any how, prior to the incident of Shan, one Nandu R. Krishna was also murdered and that is also admittedly a political murder.

348. Except the 10th accused, others were heard on the question of sentence on 25.01.2024. All of them have mainly stated their family

background, their minor children, aged parents and some of them have physical ailments. The 4th accused has a case that he had seizure occasionally and the 14th accused stated that he is a heart patient, diabetic, as well as having high BP. All of them requested for maximum leniency in sentencing and their request was that in case they are shifting from Mavelikara Sub Jail, they may be allowed to be transferred to the Central Prison, Viyyoor.

349. Judiciary is the guardian of the rule of law and central pillar of a democratic State. Therefore, judiciary has to perform its duties and functions effectively and remain true to the spirit with which they are sacredly entrusted to it.

350. On an evaluation of the facts and circumstances of this case, as pointed out by the learned defence counsel, of course it is a political murder. But, there is clear distinction between a usual political murder and this case. The sequence of events started when a young man, Nandu R. Krishna was murdered on 24.02.2021. He was hacked to death by the organization of the accused persons. Probably from that day onwards, they have an expectation of retaliation and for that they have prepared a list of persons to whom they have to attack, in case a retaliation murder of any person occurred from among their organization.

351. The significance of this aspect can be revealed through the R.F.S.L. report of the mobile phone seized from the wife of the third accused. None of the accused had kept this information, but it went in the hands of the wife of the third accused. So, the tracking of these details may not have expected by the accused persons.

352. They have chosen a person, who is a philanthropist, a benefactor of society, a good person by all means and a practicing lawyer. There is no criminal antecedent reported against him. So, the distinguishing factor is that the moment when Nandu R. Krishna was murdered, they started preparation. PW156, the Investigating Officer has a case that the accused persons have made preparations and they were undergoing training for murdering the Advocate. One of the best examples that has come out in evidence is the broken iron handle of a hammer seized from the house of the 1st accused when a search was conducted. According to him, he is a head load worker when he was heard on the question of sentence. So, there was no need for him to use a hammer which would be usually used by those who would break granite, etc. The first attack on victim in this case was from his part.

353. The accused persons are not strangers or hired persons for ransom. But, they are the office bearers holding responsible posts in the said organization. Another aspect is that throughout the trial, when the accused

persons were in the dock, there was no symptoms of repentance on their face. But, it appears from their body language that what they have done has a justification in their minds because they have the firm belief that what they have done is morally right.

354. The planning done for this crime is also worth to mention. Shan, the person from their organization, a State leader was attacked at 07.27 p.m. on 18.12.2021. He died sometime later. Within a few minutes ie., right from 08.00 p.m. onwards, the accused persons started preparation and conspired together so as to achieve their object which has the objective to show the society that in case any one them is touched, the consequence would be very grave. That is the reason why, they have approached the house of the victim, ie., the Advocate in the midnight itself on 18.12.2021. They were having masks, helmets and covering of head with towels. But, the moment when they kept the motorcycle at a nearby place, all of them removed the face mask and they straight away barged into the house of PW1 and have attacked the Advocate. The attack lasts only a span of less than three minutes. But, within such a short span of time, they could inflict the maximum injuries ie., 46 injuries and none of the injuries are abrasions or lacerations, but all are clear incised and depressed fracture or penetrating injuries.

355. The Hon'ble Supreme Court has cautioned that in all cases of rarest of rare, death sentence need not be awarded. Here, it cannot be said that the accused persons are professionals or hardened criminals. But, the report of the District Collector shows that the chance of reformation is little in the case of these 15 persons because they have the spirit that what they have done is correct and they have justified that act for their organization. When murder has been planned before hand and has been committed with cruelty or for a sordid purpose, and without least trace of any spirit of fair play or sportsmanship without given a chance to the victim, it should necessarily be punished with extreme sentence.

356. The attacks were aimed at such parts of the body in succession where even a single blow would have been sufficient to cause death in the ordinary course. Denuding the lower part of the body showed an element of perversity. The brutality of the attack of a single person by 12 persons in conspiracy with other three persons, accused Nos.13 to 15 would be revealed from the scene of occurrence because even the parts of skull were seen scattered and a tooth was also seen scattered in the room.

357. It is true that life sentence is the rule and death sentence is an exception. The crime committed was not only shocking, but it had also jeopardized the society. The awarding of lesser sentence only on the ground of

the accused being youths could not be considered as a mitigating circumstance in view of the fact that the murder committed was most cruelly, heinously and dastardly.

358. In AIR 1998 SC 2889, **Govindaswami v. State of Tamil Nadu**, it has been held that *there is no safety or protection for the innocent, helpless, unarmed fellow human being in the society, if such persons are allowed to continue in the society.*

359. In 1987 (3) SCC 80, **Mahesh v. State of Madhya Pradesh**, it is held that it will be a mockery of justice to permit the accused to escape the extreme penalty of law when faced with such evidence and such cruel acts. To give the lesser punishment for the accused would be to render the justicing system of this country suspect. The common man will loss faith in the courts. In such circumstances, the common man understands and appreciates the deterrence more than the reformative jargon.

360. In AIR 1999 SC 3789, **State of U.P. v. Dharmendra Singh**, in paragraph No.20, is held that the ghastly manner of attack on the deceased, which is evident from the post mortem report, shows that the act in question was pre-meditated, senseless, dastardly and beyond all human reasoning in as much as 53 wounds were inflicted on five deceased persons. The attacks were aimed at such parts of the body in succession where even a single blow would

have, in the ordinary course, sufficed to cause death. The denuding of the lower part of the body showed an element of perversity which could be attributed to the minds of frustrated men who totally lacked human sensibility. A holistic examination of the material on record shows that the barbaric offence in question could only be termed as a rarest of rare case.

361. A straight jacket formula for awarding death sentence cannot be evolved which is applicable to all cases. The facts of each case will have their own implication on questioning of awarding sentence. The obligation of the Court in making the choice of death sentence for the person who is found guilty of murder is onerous indeed but by sentencing a person to death, the court is giving effect to the command of law which is in public interest whereas in committing murder or being privy to commit murder, even if it be a vengeance for another murder, the convict is violating law which is against public interest. In a judicial system like ours where there is hierarchy of courts, possibility of reversal of judgments is inevitable, therefore, expectations of an accused cannot be a mitigating factor.

362. Taking into consideration of the brutality of attack, the vulnerability of the victim and the diabolic notes, acts of perversion cumulatively would definitely justify the imposition of death penalty.

363. In AIR 2000 SC 2679, Ram Deo Chauhan and Ram Nath Chauhan v. State of Assam, it is held:

“It is true that in a civilized society, a tooth for tooth, and a nail for nail or death for death is not real but equally true that when a man becomes beast and menace to the society, he can be deprived of his life according to the procedure established by law, as Constitution itself has recognized the death sentence as a permissible punishment for which sufficient constitutional provisions for an appeal, reprieve and the like even provided under the law. It is true that life sentence is the rule and death sentence is an exception. We are satisfied that the present case is an exceptional case which warrants the awarding of maximum penalty under the law to the accused/appellant. The crime committed by the appellant is not only shocking but it has jeopardized the society. The awarding of lesser sentence only on the ground of appellant being a youth at the time of occurrence cannot be considered as a mitigating circumstance in view of our findings that the murders committed by him were most cruel, heinous and dastardly. We have no doubt that the present case is the rarest of rare requiring maximum penalty impossible under law”.

364. When considering the judgment of the Hon'ble Supreme Court, the circumstances referred are as follows:- First is that the offence was committed under the influence of extreme mental or emotional disturbance. In this case, the offences committed were not at all in the said emotional disturbance or extreme mental condition.

365. The second aspect is the age of the accused. Here, the accused persons' age is ranging from 26 to 51. The Hon'ble Supreme Court in **Rahul v. State of Maharashtra, 2005(10) SCC 322** has not shown any leniency even though the accused was aged 24 years. The same was in the case in **Santhosh Kumar Singh v. State, 2010 ICO 1296**. In that case also, the accused was aged 24 years. In **Ramesh Bhai Chandu Bhai Rathod v. State of Gujarat, 2011 ICO 79**, wherein the accused was aged 28 years. So, age was not considered as a mitigating factor considering the gruesome nature of the offence committed by the accused.

366. The third category is the probability that the accused would not commit cruel acts of violence as would constitute a continuing threat to the society. Here, the pertinent aspect to be noted is that the accused persons are the responsible persons of an organization and they have committed the murder with such a preparation from much earlier when they have attacked a person of the opposing political party. They collected the photographs of the

selected persons, their family members and friends and had even made all preparations and had undergone training and that is the impact seen in this case because within a short span of less than three minutes, they could commit the offence without causing an injury to themselves because all of them are armed with sharp edged weapons inside the house except the 1st accused, who had a hammer and the manner of committing the crime is evident from the nature of injuries on the body of the Advocate.

367. The report of the State shows that the accused persons are hardcore criminals and there is no chance for reformation because they are very deeply interested in the affairs of the said organization which is widespread in the country and in case such activities are allowed to continue in society, it would definitely hamper the peace in the society. Moreover, it should be deterred, for which, a deterrent punishment is required.

368. The next aspect is the probability that the accused can be reformed and rehabilitated. The report of the State shows that the chance is little. Moreover, the accused persons have never shown any repentance for what they have done in this case. So, the chance of reformation and rehabilitation cannot be considered as a mitigating circumstance in this case.

369. The next aspect is to be considered is that there was no provocation from the part of the victim who was never involved in any

criminal activities who is a man doing social work apart from his profession as a lawyer. The said commission of crime shocked the minds of people in the society and it also shocks the judicial conscience.

370. The mitigating circumstances propounded in the said judgment i.e., in Bechan Singh's case when analysed and imported into the facts of this case, there is no mental disturbance. The chance for indulging in crime in future cannot be ruled out. The accused believed that they are morally justified. The crime was committed with very good planning and the preparations might have started months ago. So, I am of the view that the defenceless victim who had never provoked the accused and the commission of offence was a pre-meditated one. The only mitigating circumstance, the age of the accused would not be balancing with the aggravating circumstances already pointed out. It is true that there is no records to show that the accused persons were convicted earlier. The most important aspect is that the heinous crime was committed in the comfort zone i.e., in the house of the victim, in the presence of his mother, wife and minor child and he was denuded are all showing the brutality of the crime.

371. In **2008 SCC CrI.529, Susheel Murmu v. State of Jharkhand**, the Hon'ble Apex Court held that in rarest of rare cases, the collective conscience of the society is so shocked that it will expect the holders of the judicial power

centre to inflict death penalty irrespective of their personal opinion as regard desirability or otherwise of retaining death penalty, death sentence can be awarded.

372. So, an overall evaluation of the facts and circumstances of this case, which is a case with direct evidence with three occurrence witnesses and the recoveries effected proved that the weapons as well as vehicles used contain blood and DNA profiling proved that those blood stains are of the victim Advocate. So, there is absolute justification for imposing capital punishment for all the accused persons in this case.

373. Since the 10th accused is hospitalized, he was not heard on the question of sentence. Hence, his case is split up.

374. **Point No.19:-**

In the result,

1. Accused Nos.1 to 9 and 11 to 15 are sentenced to undergo rigorous imprisonment for six (6) months each u/s.143 of the Indian Penal Code.
2. Accused Nos.1 to 9, 11 and 12 are sentenced to undergo rigorous imprisonment for two (2) years each u/s.147 of the Indian Penal Code.

3. Accused Nos.1 to 9, 11 and 12 are sentenced to undergo rigorous imprisonment for three (3) years each u/s.148 of the Indian Penal Code.
4. Accused Nos.1 to 8 are sentenced to undergo imprisonment for life each and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.449 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten (10) months each.
5. Accused Nos.9, 11 and 12 are sentenced to undergo rigorous imprisonment for three (3) months each and to pay fine of ₹500/- (Rupees five hundred) each for the offence punishable u/s.447 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten(10) days each.
6. Accused Nos.1, 5, 9, 11 and 12 are sentenced to undergo rigorous imprisonment for two (2) years each and to pay fine of ₹10,000/- (Rupees ten thousand) each for the offence punishable u/s.427 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for one (1) month each.
7. Accused Nos.1 to 8 are sentenced to undergo rigorous imprisonment for seven (7) years each and to pay fine of ₹5,000/-

(Rupees five thousand) each for the offence punishable u/s.506(ii) r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for fifteen (15) days each.

8. Accused No.8 is sentenced to undergo rigorous imprisonment for three (3) years and to pay fine of ₹5,000/- (Rupees five thousand) for the offence punishable u/s.324 r/w.149 of the Indian Penal Code. In default of payment of fine, he shall undergo rigorous imprisonment for fifteen (15) days each.

9. Accused Nos.2, 7 and 8 are sentenced to undergo rigorous imprisonment for one (1) year each and to pay fine of ₹1,000/- (Rupees one thousand) each for the offence punishable u/s.323 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten(10) days each.

10. Accused Nos. 1 to 8 are sentenced to undergo rigorous imprisonment for one (1) month each for the offence punishable u/s.341 r/w.149 of the Indian Penal Code.

11. Accused Nos. 9, 11 and 15 are sentenced to undergo rigorous imprisonment for seven (7) years each and to pay fine of ₹10,000/- (Rupees ten thousand) each for the offence punishable

u/s.201 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for fifteen(15) days each.

12. Accused Nos.1 to 9, 11 and 12 are sentenced to undergo rigorous imprisonment for seven (7) years each and to pay fine of ₹10,000/- (Rupees ten thousand) each for the offence punishable u/s.27 of the Arms Act. In default of payment of fine, they shall undergo rigorous imprisonment for ten(10) days each.

13. Accused Nos.1 to 8 each are sentenced to Death and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.302 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten (10) months each. I direct that they shall be hanged by the neck till they are dead.

14. Accused Nos.9, 11 and 12 each are sentenced to Death and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.302 r/w.149 of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten (10) months each. I direct that they shall be hanged by the neck till they are dead.

15. Accused Nos.13 to 15 each are sentenced to Death and to pay fine of ₹1,00,000/- (Rupees one lakh) each for the offence punishable u/s.302 r/w.120B of the Indian Penal Code. In default of payment of fine, they shall undergo rigorous imprisonment for ten (10) months each. I direct that they shall be hanged by the neck till they are dead.
16. These proceedings shall be submitted before the Hon'ble High Court of Kerala for confirmation of the Death Sentence u/s.366 of Cr.P.C. and the death sentences shall not be executed unless it is confirmed by the Hon'ble High Court.
17. No separate sentence u/s.109 of the Indian Penal Code.
18. Fine amount, if realized, ₹6,00,000/- (Rupees six lakhs) each shall be given to PWs1, 2 and 8 as compensation u/s.357(1)(b) of Cr.P.C.
19. The term sentences shall run concurrently. After the expiration of term sentence, life imprisonment will start.
20. Recommendation is made to District Legal Services Authority, Alappuzha to grant compensation to PWs1, 2 and 8 and the elder daughter of the Advocate as per the Kerala Victim Compensation Scheme, 2014.

21. Accused Nos.3 and 9 are under detention from 28.12.2021 onwards; A7 is under detention from 01.01.2022; accused Nos.1 and 6 are under detention from 03.01.2022; accused Nos.2 and 12 are under detention from 06.01.2022; accused No.14 is under detention from 17.01.2022; accused No.13 is under detention from 24.01.2022; accused No.4 is under detention from 31.01.2022; accused No.11 is under detention from 16.02.2022; accused No.8 is under detention from 22.02.2022 and accused Nos.5 and 15 are under detention from 03.03.2022.

22. No order is passed regarding the disposal of MOs, as the case against the remaining accused persons involved in this crime is pending investigation. It is made clear that, MOs in this case shall be safely preserved in this court and shall be made available as and when those are required.

(Dictated to the C.A, typed by her, corrected by me and pronounced in open court on this the 30th day of January, 2024).

Sd/-
V.G. SREEDEVI
ADDITIONAL SESSIONS JUDGE-I

APPENDIX

Witness Examined for Prosecution:

| | | | | |
|------|---|------------|---|----------------------|
| PW1 | - | 17.04.2023 | - | Vinodini |
| | | 18.04.2023 | | |
| PW2 | - | 19.04.2023 | - | Lisha Johnson |
| | | 20.04.2023 | | |
| PW3 | - | 26.04.2023 | - | Santhosh |
| PW4 | - | 26.04.2023 | - | Senthil |
| PW5 | - | 26.04.2023 | - | Sunil George |
| PW6 | - | 27.04.2023 | - | Meenakshi Nathan |
| PW7 | - | 28.04.2023 | - | Sethu Revi |
| PW8 | - | 04.05.2023 | - | Hridhya Renjith |
| | | 12.07.2023 | | |
| PW9 | - | 04.05.2023 | - | Abhijith Sreenivasan |
| | | 13.07.2023 | | |
| PW10 | - | 05.05.2023 | - | Nandu |
| | | 13.07.2023 | | |
| PW11 | - | 05.05.2023 | - | Sujith J. |
| | | 07.09.2023 | | |
| PW12 | - | 05.05.2023 | - | Thampachan |
| | | 19.07.2023 | | |
| PW13 | - | 19.07.2023 | - | Rajeev |
| PW14 | - | 19.07.2023 | - | Biju |
| PW15 | - | 19.07.2023 | - | Bhavana |
| PW16 | - | 19.07.2023 | - | Swathi K. Pillai |

| | | | | |
|------|---|------------|---|------------------------|
| PW17 | - | 19.07.2023 | - | Brite |
| PW18 | - | 19.07.2023 | - | Manoj |
| PW19 | - | 20.07.2023 | - | Manaf |
| PW20 | - | 20.07.2023 | - | Vinu Vasudevan |
| PW21 | - | 20.07.2023 | - | Vasantha Giri |
| PW22 | - | 20.07.2023 | - | Aneesh Raj |
| PW23 | - | 20.07.2023 | - | Sunish |
| PW24 | - | 24.07.2023 | - | Jayesh M. |
| PW25 | - | 24.07.2023 | - | Praveen |
| PW26 | - | 24.07.2023 | - | Akhil |
| PW27 | - | 24.07.2023 | - | Rahul |
| PW28 | - | 24.07.2023 | - | Sajith Prabhu |
| PW29 | - | 24.07.2023 | - | Ramachandran |
| PW30 | - | 24.07.2023 | - | Kanakaraj |
| PW31 | - | 24.07.2023 | - | Sarath |
| PW32 | - | 24.07.2023 | - | Omanakuttan @ Ayyappan |
| PW33 | - | 25.07.2023 | - | Devakumar |
| PW34 | - | 25.07.2023 | - | Santhosh Kumar |
| PW35 | - | 25.07.2023 | - | Jayaprakash |
| PW36 | - | 25.07.2023 | - | Madhu |
| PW37 | - | 25.07.2023 | - | C. Udayakumar |
| PW38 | - | 25.07.2023 | - | Vimal |

PW39 - 26.07.2023 - Manzoor
PW40 - 26.07.2023 - Muhammed Hazan @ Thampi
PW41 - 26.07.2023 - Anzari
PW42 - 26.07.2023 - Jayan K.S.
PW43 - 26.07.2023 - Bijumon G.
PW44 - 26.07.2023 - G. Vinod Kumar
PW45 - 26.07.2023 - Kannan R.
PW46 - 26.07.2023 - Manu Upendran
PW47 - 26.07.2023 - Rajeev
PW48 - 27.07.2023 - Neena mol
PW49 - 27.07.2023 - Salim
PW50 - 27.07.2023 - Shiyas
PW51 - 27.07.2023 - Vijayappan
PW52 - 27.07.2023 - Suresh Kumar
PW53 - 27.07.2023 - Shaji mon
PW54 - 31.07.2023 - Raghunathan
PW55 - 31.07.2023 - Biju
PW56 - 31.07.2023 - Hariprasad S.
PW57 - 31.07.2023 - Peter Joseph
PW58 - 31.07.2023 - Rajesh J.
PW59 - 31.07.2023 - Syam Satheesan
PW60 - 31.07.2023 - Chandran

PW61 - 31.07.2023 - Ajesh Kumar
PW62 - 01.08.2023 - Rahul G. Krishnan
PW63 - 01.08.2023 - Pratheesh Narayanan
PW64 - 01.08.2023 - Sumith
PW65 - 01.08.2023 - Kiran P.
PW66 - 01.08.2023 - Sivadasan
PW67 - 01.08.2023 - Abdul Aziz
PW68 - 01.08.2023 - Biju
PW69 - 02.08.2023 - Beena
PW70 - 02.08.2023 - Shaiq Biju
PW71 - 02.08.2023 - Madhu
PW72 - 02.08.2023 - Sreejith
PW73 - 02.08.2023 - Jyothish Kumar
PW74 - 02.08.2023 - Aravind Raj
PW75 - 02.08.2023 - Vijaya Kumar
PW76 - 02.08.2023 - Rajesh Kumar
PW77 - 03.08.2023 - Syam Mohan T.M.
PW78 - 03.08.2023 - Joseph V.
PW79 - 03.08.2023 - Sreemol
PW80 - 03.08.2023 - Vinod P. Lal
PW81 - 03.08.2023 - Sreekala
PW82 - 03.08.2023 - P.V. Jayasimhan

PW83 - 03.08.2023 - Preetha Prathapan
PW84 - 03.08.2023 - Malini Kartha
PW85 - 03.08.2023 - Neethu lal
PW86 - 08.08.2023 - Savithri V.
PW87 - 08.08.2023 - Dr. Renju Raveendran
PW88 - 09.08.2023 - Shibu Kumar
PW89 - 09.08.2023 - C. Ramachandran
PW90 - 09.08.2023 - Vivek Sasi
PW91 - 16.08.2023 - Saji Prasad
PW92 - 16.08.2023 - Prathibha
PW93 - 16.08.2023 - Dr. Anoop K. Thankappan
PW94 - 16.08.2023 - Santhosh
PW95 - 16.08.2023 - Brisi Jacob
PW96 - 16.08.2023 - Soorya Ramachandran
PW97 - 16.08.2023 - Vineeth
PW98 - 17.08.2023 - Suhail M.
PW99 - 17.08.2023 - Akhila
PW100 - 17.08.2023 - Binoj
PW101 - 17.08.2023 - Shabu S.
PW102 - 17.08.2023 - Anaz
PW103 - 21.08.2023 - Rakhi M.D.
PW104 - 21.08.2023 - Savitha Mol

PW105 - 21.08.2023 - Jagadeep R.S.
PW106 - 21.08.2023 - Kanaka Raj S.R.
PW107 - 21.08.2023 - Pramod
PW108 - 21.08.2023 - Praveen Kumar
PW109 - 21.08.2023 - Kannan K. Asok
PW110 - 21.08.2023 - Sunil Kumar
PW111 - 21.08.2023 - Nevin T.D.
PW112 - 22.08.2023 - Saju P.
PW113 - 22.08.2023 - Biju K.R.
PW114 - 22.08.2023 - Sajith
PW115 - 22.08.2023 - Lekha
PW116 - 22.08.2023 - Subhashchandra Bose
PW117 - 22.08.2023 - Satheesh Babu
PW118 - 07.09.2023 - Selma Beevi
PW119 - 07.09.2023 - Sangeeth
25.09.2023
PW120 - 07.09.2023 - Muhammed Saleel
PW121 - 07.09.2023 - Booto
PW122 - 07.09.2023 - Nahas
PW123 - 08.09.2023 - Vishnu
PW124 - 08.09.2023 - Gopakumar
PW125 - 08.09.2023 - Suresh

PW126 - 08.09.2023 - Rajesh
PW127 - 08.09.2023 - Anzil
PW128 - 08.09.2023 - Antappan
PW129 - 08.09.2023 - Andrews
PW130 - 08.09.2023 - Shuhaib
PW131 - 08.09.2023 - Ansar
PW132 - 19.09.2023 - Mahesh
PW133 - 19.09.2023 - Binumon
PW134 - 19.09.2023 - Maniyan
PW135 - 19.09.2023 - Noufal
PW136 - 20.09.2023 - Dr. Althaf
PW137 - 20.09.2023 - Haridas
PW138 - 20.09.2023 - Harikrishnan
PW139 - 20.09.2023 - Aji Sankar
20.10.2023
PW140 - 20.09.2023 - Sajeev
PW141 - 20.09.2023 - Prasanth
PW142 - 20.09.2023 - Anil Sankar
PW143 - 20.09.2023 - Nidhin Raj
PW144 - 21.09.2023 - Vaisakh
PW145 - 21.09.2023 - Joji Thomas
PW146 - 21.09.2023 - Anandababu

| | | | | |
|-------|---|------------|---|------------------------------------|
| PW147 | - | 26.09.2023 | - | Sudheer |
| PW148 | - | 26.09.2023 | - | T.S. Jamal |
| PW149 | - | 26.09.2023 | - | Praveesh |
| PW150 | - | 30.09.2023 | - | Reji Raj V.D. |
| PW151 | - | 30.09.2023 | - | Mohit |
| PW152 | - | 30.09.2023 | - | S. Rajesh |
| PW153 | - | 04.10.2023 | - | M.K. Rajesh |
| PW154 | - | 04.10.2023 | - | Arun S. |
| PW155 | - | 11.10.2023 | - | Vasudevan |
| | | 16.10.2023 | } | - N.R. Jayaraj, Dy.S.P., Alappuzha |
| | | 17.10.2023 | | |
| PW156 | | 18.10.2023 | | |
| | | 19.10.2023 | | |
| | | 27.10.2023 | | |
| | | 28.10.2023 | | |

Witness Examined for Defence :- Nil

Exhibits marked for Prosecution :

| | | | | |
|-------|---|------------|---|--|
| P1 | - | 19.12.2021 | - | F.I.S. (Marked through PW1) |
| P2 | - | 27.01.2022 | - | Report of Test Identification Parade (Marked through PW1) |
| P2(a) | - | 27.01.2022 | - | Report of Test Identification Parade (Marked through PW144) |

- P2(b) - 07.02.2022 - Covering letter of Test Identification Parade Report (Marked through PW144)
- P3 - 20.12.2021 - Receipt of dead body of Renjith Sreenivasan (Marked through PW9)
- P4 - 05.01.2022 - Third Party Kaicheet (Marked through PW9)
- P5 - 25.12.2021 - 65-B Certificate (Marked through PW12)
- P6 - 28.12.2021 - T-3 Pendrive (Marked through PW12)
- P7 - 25.12.2021 - T-1 Pendrive (Marked through PW14)
- P8 - 25.12.2021 - T-5 Pendrive (Marked through PW16)
- P9 - 26.12.2021 - T-9 Pendrive (Marked through PW17)
- P10 - 26.12.2021 - T-11 Pendrive (Marked through PW18)
- P11 - 25.12.2021 - U/s.(4) of 65B Certificate (Marked through PW19)
- P12 - 25.12.2021 - U/s. (4) of 65B Certificate (Marked through PW19)
- P13 - 26.12.2021 - U/s. (4) of 65B Certificate (Marked through PW19)
- P14 - 26.12.2021 - U/s. (4) of 65B Certificate (Marked through PW19)
- P15 - 26.12.2021 - T-13 Pendrive (Marked through PW19)
- P16 - 26.12.2021 - U/s. (4) of 65B Certificate (Marked through PW19)
- P17 - 26.12.2021 - T-15 Pendrive (Marked through PW 19)
- P18 - 26.12.2021 - U/s. (4) of 65B Certificate (Marked through PW19)
- P19 - 27.12.2021 - T-17 Pendrive (Marked through PW 19)

- P20 - 27.12.2021 - U/s. (4) of 65B Certificate
(Marked through PW19)
- P21 - 27.12.2021 - T-19 Pendrive (Marked through PW19)
- P22 - 27.12.2021 - U/s. (4) of 65B Certificate
(Marked through PW19)
- P23 - 31.12.2021 - Seizure Mahazar (Marked through PW25)
- P23(a) - 31.12.2021 - Portion of Confession Statement (A3)
(Marked through PW156)
- P23(b) - 31.12.2021 - Report of DySP (Marked through PW156)
- P24 - 21.12.2021 - Seizure Mahazar (Marked through PW39)
- P24(a) - 21.12.2021 - Report of Arun S., S.I. of Police
(Marked through PW154)
- P25 - 25.12.2021 - Seizure Mahazar (Marked through PW40)
- P25(a) - 25.12.2021 - Report of DySP (Marked through PW156)
- P26 - 25.12.2021 - Subject proof of 161 Statement
(Marked through PW40)
- P27 - 25.12.2021 - Subject proof of 161 Statement
(Marked through PW40)
- P28 - 25.12.2021 - Subject proof of 161 Statement
(Marked through PW40)
- P29 - 25.12.2021 - Subject proof of 161 Statement
(Marked through PW40)
- P30 - 25.12.2021 - Subject proof of 161 Statement
(Marked through PW41)
- P31 - 25.12.2021 - Subject proof of 161 Statement
(Marked through PW41)

- P32 - 25.12.2021 - Subject proof of 161 Statement
(Marked through PW41)
- P33 - 25.12.2021 - Seizure Mahazar (Marked through PW41)
- P33(a) - 25.12.2021 - Report of Reji Raj V.D., S.I. of Police,
Alappuzha South Police Station
(Marked through PW150)
- P33(b) - 25.12.2021 - Report of DySP (Marked through PW156)
- P34 - 02.01.2022 - Recovery Mahazar (Marked through PW43)
- P34(a) - 02.01.2022 - Report of DySP (Marked through PW 156)
- P34(b) - 02.01.2022 - Portion of Confession Statement (A7)
(Marked through PW156)
- P34(c) - 02.01.2022 - Report submitted by DySP
(Marked through PW156)
- P35 - 02.01.2022 - Registration Certificate of KL-04-AK-7167
Scooter (Marked through PW43)
- P36 - 19.12.2021 - Inquest Report (Marked through PW45)
- P36(a) - 19.12.2021 - Order No. D1/81437/2021/A
(Marked through PW146)
- P36(b) - 19.12.2021 - Report of Arun S., SI of Police,
South police station Alappuzha
(Marked through PW154)
- P36(c) - 19.12.2021 - Report submitted by Arun S., SI of Police,
South police station Alappuzha
(Marked through PW154)
- P37 - 20.12.2021 - Seizure Mahazar (Marked through PW48)

- P37(a) - 20.12.2021 - Report of Arun S., SI of Police,
South police station Alappuzha
(Marked through PW154)
- P37(b) - 20.12.2021 - Clarification Report of Arun S., SI of Police,
South Police Station Alappuzha
(Marked through PW154)
- P38 - 20.12.2021 - Subject proof of 161 Statement
(Marked through PW48)
- P39 - 20.12.2021 - Subject proof of 161 Statement
(Marked through PW48)
- P40 - 26.12.2021 - Seizure Mahazar (Marked through PW49)
- P40(a) - 26.12.2021 - Report of Nidhin Raj S., SI of Police,
Alappuzha North Police Station
(Marked through PW143)
- P40(b) - 26.12.2021 - Report submitted by DySP
(Marked through PW156)
- P41 - 27.12.2021 - Seizure Mahazar (Marked through PW51)
- P41(a) - 27.12.2021 - Report of V.D. Reji Raj, S.I. of Police
(Marked through PW150)
- P41(b) - 27.12.2021 - Report submitted by DySP
(Marked through PW156)
- P42 - 30.12.2021 - Scene Mahazar
(Marked through PW52)
- P42(a) - 30.12.2021 - Portion of Confession Statement
(Marked through PW156)

- P42(b) - 30.12.2021 - Report submitted by DySP
(Marked through PW156)
- P42(c) - 30.12.2021 - Report submitted by DySP
(Marked through PW156)
- P43 - 30.12.2021 - Scene Mahazar
(Marked through PW53)
- P43(a) - 30.12.2021 - Portion of Confession Statement
(Marked through PW156)
- P43(b) - 30.12.2021 - Report submitted by DySP
(Marked through PW 156)
- P43(c) - 30.12.2021 - Report submitted by DySP
(Marked through PW 156)
- P44 - 30.12.2021 - Election ID Card No. KL/15/099/099084
(Selma Beevi) (Marked through PW52)
- P45 - 30.12.2021 - SDPI Poster (Notice)
(Marked through PW52)
- P46 - 30.12.2021 - Lists- Ambanakulangara Unit & Adivaram Unit
(Marked through PW52)
- P47 - 14.01.2022 - Recovery Mahazar
(Marked through PW54)
- P47(a) - 14.01.2022 - Report submitted by DySP
(Marked through PW156)
- P47(b) - 14.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P47(c) - 14.01.2022 - Report submitted by DySP
(Marked through PW156)

- P48 - 12.01.2022 - Recovery Mahazar
(Marked through PW55)
- P48(a) - 12.01.2022 - Report submitted by DySP
(Marked through PW156)
- P48(b) - 12.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P48(c) - 12.01.2022 - Report submitted by DySP
(Marked through PW156)
- P49 - 12.01.2022 - Recovery Mahazar
(Marked through PW56)
- P49(a) - 12.01.2022 - Report submitted by DySP
(Marked through PW156)
- P49(b) - 12.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P49(c) - 12.01.2022 - Report submitted by DySP
(Marked through PW156)
- P50 - 08.01.2021 - Recovery Mahazar
(Marked through PW57)
- P50(a) - 08.01.2021 - Portion of Confession Statement
(Marked through PW154)
- P50(b) - 08.01.2021 - Report submitted by Arun S., SI of Police,
South Police Station Alappuzha
(Marked through PW154)
- P50(c) - 08.01.2022 - Report submitted by DySP
(Marked through PW156)

- P51 - 14.01.2022 - Recovery Mahazar
(Marked through PW58)
- P51(a) - 14.01.2022 - Report submitted by DySP
(Marked through PW156)
- P51(b) - 14.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P51(c) - 14.01.2022 - Report submitted by DySP
(Marked through PW156)
- P52 - 07.01.2022 - Recovery Mahazar
(Marked through PW59)
- P52(a) - 07.01.2022 - Report submitted by DySP
(Marked through PW156)
- P52(b) - 07.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P52(c) - 07.01.2022 - Report submitted by DySP
(Marked through PW156)
- P53 - 12.01.2022 - Recovery Mahazar
(Marked through PW60)
- P53(a) - 12.01.2022 - Report submitted by DySP
(Marked through PW156)
- P53(b) - 12.01.2022 - Portion of Confession Statement
(Marked through PW 156)
- P53(c) - 12.01.2022 - Report submitted by DySP
(Marked through PW156)
- P54 - 19.12.2021 - Vehicle Mahazar
(Marked through PW62)

- P54(a) - 19.12.2021 - Report submitted by Sub Inspector,
South police station, Alappuzha
(Marked through PW154)
- P55 - 08.01.2022 - Recovery Mahazar
(Marked through PW63)
- P55(a) - 08.01.2022 - Report submitted by DySP
(Marked through PW156)
- P55(b) - 08.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P55(c) - 08.01.2022 - Report submitted by DySP
(Marked through PW156)
- P56 - 12.02.2022 - Recovery Mahazar
(Marked through PW64)
- P56(a) - 12.02.2022 - Report submitted by DySP
(Marked through PW156)
- P56(b) - 12.02.2022 - Portion of Confession Statement
(Marked through PW156)
- P56(c) - 12.02.2022 - Report submitted by DySP
(Marked through PW156)
- P57 - 04.02.2022 - Recovery Mahazar
(Marked through PW65)
- P57(a) - 04.02.2022 - Report submitted by DySP
(Marked through PW156)
- P57(b) - 04.02.2022 - Portion of Confession Statement
(Marked through PW156)

- P57(c) - 04.02.2022 - Report submitted by DySP
(Marked through PW156)
- P58 - 19.01.2022 - Subject proof of 161 Statement
(Marked through PW66)
- P59 - 19.01.2022 - Recovery Mahazar
(Marked through PW66)
- P59(a) - 19.01.2022 - Report submitted by DySP
(Marked through PW156)
- P59(b) - 19.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P59(c) - 19.01.2022 - Report submitted by DySP
(Marked through PW156)
- P60 - 17.01.2022 - Scene Mahazar
(Marked through PW67)
- P60(a) - 17.01.2022 - Report submitted by DySP
(Marked through PW156)
- P60(b) - 17.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P60(c) - 17.01.2022 - Report submitted by DySP
(Marked through PW156)
- P61 - 17.01.2022 - Subject proof of 161 Statement
(Marked through PW67)
- P62 - 17.01.2022 - Subject proof of 161 statement
(Marked through PW67)
- P63 - 25.01.2022 - Recovery Mahazar
(Marked through PW68)

- P63(a) - 25.01.2022 - Portion of Confession Statement
(Marked through PW154)
- P63(b) - 25.01.2022 - Report submitted by SI of Police,
South Police Station Alappuzha
(Marked through PW154)
- P63(c) - 27.01.2022 - Custody Application
(Marked through PW154)
- P63(d) - 25.01.2022 - Report submitted by DySP
(Marked through PW156)
- P63(e) - 25.01.2022 - Report submitted by DySP
(Marked through PW156)
- P64 - 26.02.2022 - Ownership Certificate
(Marked through PW69)
- P65 - 03.02.2022 - Ownership Certificate (File No. BD/929/2022)
(Marked through PW70)
- P66 - 03.02.2022 - Ownership Certificate (File No. BD/930/2022)
(Marked through PW70)
- P67 - 16.02.2022 - Ownership Certificate (PT.1292/2022)
(Marked through PW70)
- P67(a) - 18.02.2022 - Covering Letter (DySP, Alappuzha)
(Marked through PW76)
- P68 - 16.02.2022 - Ownership Certificate (File No. EL/1309/2022)
(Marked through PW70)
- P69 - 09.03.2022 - Ownership Certificate (File No. BD 2043/2022)
(Marked through PW70)

- P70 - 05.02.2022 - Certificate (File No. T2-3528/2022)
(Marked through PW71)
- P71 - 22.02.2022 - Ownership Certificate (File No. T1-5096/2022)
(Marked through PW71)
- P72 - 28.02.2022 - Ownership Certificate (File No. T5-5088/2022)
(Marked through PW71)
- P73 - 02.03.2022 - Ownership Certificate (File No. T1-5086/2022)
(Marked through PW71)
- P74 - 02.03.2022 - Ownership Certificate (File No. T2-5081/2022)
(Marked through PW71)
- P75 - 28.02.2022 - Recovery Mahazar
(Marked through PW72)
- P75(a) - 28.02.2022 - Report submitted by DySP
(Marked through PW156)
- P75(b) - 28.02.2022 - Portion of Confession Statement
(Marked through PW156)
- P75(c) - 28.02.2022 - Report submitted by DySP
(Marked through PW156)
- P76 - 26.02.2022 - Recovery Mahazar
(Marked through PW73)
- P76(a) - 26.02.2022 - Report submitted by DySP
(Marked through PW156)
- P76(b) - 26.02.2022 - Portion of Confession Statement
(Marked through PW156)
- P76(c) - 26.02.2022 - Report submitted by DySP
(Marked through PW156)

- P77 - 03.03.2022 - Recovery Mahazar
(Marked through PW75)
- P77(a) - 03.03.2022 - Report submitted by DySP
(Marked through PW156)
- P77(b) - 03.03.2022 - Portion of Confession Statement
(Marked through PW156)
- P77(c) - 03.03.2022 - Report submitted by DySP
(Marked through PW156)
- P78 - 07.03.2022 - Certificate of K.S.E.B. Ltd.,
DB 20/AE-Town-ALPY/Certificate/21-22/63
(Marked through PW77)
- P79 - 11.02.2022 - Scene Plan (Marked through PW78)
- P80 - 24.02.2022 - Scene Plan (No. 19/2022)
(Marked through PW78)
- P81 - 23.02.2022 - Certificate (No. 18/2022)
(Marked through PW78)
- P82 - 24.02.2022 - Caste and Address Report (No.214/2022)
(Marked through PW78)
- P83 - 23.02.2022 - Scene Plan (Marked through PW79)
- P84 - 22.02.2022 - Caste and Address Report (File No. 4/2022)
(Marked through PW79)
- P85 - 23.02.2022 - Scene Plan (No. 112/2022)
(Marked through PW80)
- P86 - 25.02.2022 - Possession Certificate (No. 18/2022)
(Marked through PW80)

- P87 - 09.03.2022 - Certificate (No. 24/2022)
(Marked through PW80)
- P88 - 02.03.2022 - Possession Certificate
(Marked through PW80)
- P88(a) - 02.03.2022 - Covering Letter (No. 22/2022)
(Marked through PW80)
- P89 - 23.02.2022 - Caste and Address Report (No. 112/2022)
(Marked through PW80)
- P90 - 14.02.2022 - Scene Plan submitted by Village Officer,
Mannanchery (Marked through PW81)
- P91 - 14.02.2022 - Scene Plan submitted by Village Officer,
Mannanchery (Marked through PW81)
- P92 - 14.03.2022 - Certificate (No. 13/2022)
submitted by Village Officer, Mannanchery
(Marked through PW81)
- P93 - 26.02.2022 - Caste and Address Report (No. 63/2022)
submitted by Village Officer, Mannanchery
(Marked through PW81)
- P94 - 07.02.2022 - Scene Plan (No. 8/2022)
submitted by Village Officer, Alappuzha West
(Marked through PW82)
- P95 - 02.03.2022 - Sketch of house involved in the crime
submitted by Village Officer, Alappuzha West
(Marked through PW82)
- P96 - 24.02.2022 - Route map submitted by Village Officer,
Alappuzha West (Marked through PW82)

- P97 - 09.02.2022 - Scene Plan (No. 9/2022)
submitted by Village Officer, Alappuzha West
(Marked through PW82)
- P98 - 09.03.2022 - Scene Plan (No. 10/2022)
submitted by Village Officer, Alappuzha West
(Marked through PW82)
- P99 - 25.02.2022 - Caste and Address Report (No. 96/2022)
submitted by Tahsildar, Ambalapuzha
(Marked through PW82)
- P100 - 03.03.2022 - Caste and Address Report
(No. K.D.S. 112/2022/A3)
submitted by Tahsildar, Ambalappuzha
(Marked through PW83)
- P101 - 03.03.2022 - Report (No. T5-3677/2022)
submitted by Revenue Inspector of Alappuzha
Municipality (Marked through PW84)
- P102 - 16.02.2022 - Ownership Certificate (No. T2- 3530/2022)
Municipality Alappuzha
(Marked through PW84)
- P103 - 26.02.2022 - Test Identification Parade (No. D3.1234/2022)
conducted by JMFC -I, Cherthala
(Marked through PW86)
- P103(a)- 26.02.2022 - Test Identification Parade
(Order No.D3.1234/2022) conducted by
CJM, Alappuzha (Marked through PW86)

- P104 - 07.03.2022 - Test Identification Parade
(OM No. D3.1405/2022) conducted by
CJM, Alappuzha (Marked through PW86)
- P105 - 20.12.2021 - Postmortem Report (P.M. No. 938/2021)
Directorate of Medical Education
(Marked through PW87)
- P106 - 05.01.2022 - Damage Certificate of Motorcycle
(Reg. No. KL-04 -AK- 6879)
(Marked through PW88)
- P107 - 04.01.2022 - Damage Certificate of Maruti suzuki motor car
(Reg. No. KL-04- AP-1965)
(Marked through PW88)
- P108 - 12.02.2022 - Photographs (1 to 24 Nos.)
(Series) In Inquest Report (Page No. 1 to 3)
(Marked through PW89)
- P109 - 12.02.2022 - Photographs (25 to 40 Nos.)
(Series) Scene of crime (Page No. 5)
(Marked through PW89)
- P110 - 12.02.2022 - Photographs of KL-4J-267, KL-4R-4990 and
(Series) KL-4AR-5285 (41 to 46 Nos.)
(Marked through PW89)
- P111 - 12.02.2022 - Fingerprint (Marked through PW89)
(Series)
- P112 - 12.01.2022 - U/s. 65B(4) Certificate
(Marked through PW 89)

- P113 - 12.01.2022 - DVD (No. 3/2022/ALP/PB)
(Marked through PW89)
- P114 - 19.12.2021 - Scene Mahazar (Marked through PW90)
- P114(a) - 24.12.2021 - Report submitted by SI of Police,
South Police Station, Alappuzha
(Marked through PW154)
- P115 - 25.02.2022 - U/s. 65 B(4) Certificate (No. C1/1156/2022)
(Marked through PW91)
- P116 - 15.02.2022 - Vehicle Particulars (Reg. No.KL-04 -AP- 1965)
(Marked through PW91)
- P117 - 15.02.2022 - Vehicle Particulars (Reg.No. KL-04 -AK- 6879)
(Marked through PW91)
- P118 - 15.02.2022 - Vehicle Particulars (Reg. No. KL-04 -AR- 4990)
(Marked through PW91)
- P119 - 15.02.2022 - Vehicle Particulars (Reg. No.KL-04 -AM- 7048)
(Marked through PW91)
- P120 - 15.02.2022 - Vehicle Particulars (Reg. No. KL-04 -AK- 7167)
(Marked through PW 91)
- P121 - 15.02.2022 - Vehicle Particulars (Reg. No. KL-04 -AR- 5285)
(Marked through PW91)
- P122 - 15.02.2022 - Vehicle Particulars (Reg. No. KL-01 -BA-3535)
(Marked through PW91)
- P123 - 11.03.2022 - U/s. 65 B (4) Certificate (No. C5/1499/2022)
(Marked through PW91)
- P124 - 11.03.2022 - Vehicle Particulars (Reg. No.KL-04 -AD- 2341)
(Marked through PW91)

- P125 - 11.03.2022 - Vehicle Particulars (Reg. No.KL-04 -AQ- 9098)
(Marked through PW91)
- P126 - 04.03.2022 - Inspection Report of motor vehicle involved in
the accident (Reg.No. KL-04-AD-2341)
(Marked through PW91)
- P127 - 04.03.2022 - Inspection Report of motor vehicle involved in
the accident (Reg.No. KL-04-AQ-9098)
(Marked through PW91)
- P128 - 02.02.2022 - Inspection Report of motor vehicle involved in
the accident (Reg. No. KL-01-BA-3535)
(Marked through PW91)
- P129 - 02.02.2022 - Inspection Report of motor vehicle involved in
the accident (Reg.No. KL-04-AR-5285)
(Marked through PW91)
- P130 - 30.12.2021 - Inspection Report of motor vehicle involved in
the accident (Reg. No. KL-04-AR-4990)
(Marked through PW91)
- P131 - 05.02.2022 - Inspection Report of motor vehicle involved in
the accident (Reg. No. KL-04-AM-7048)
(Marked through PW91)
- P132 - 05.02.2022 - Inspection Report of motor vehicle involved in
the accident (Reg. No. KL-04-AK-7167)
(Marked through PW91)
- P133 - 11.03.2022 - Covering Letter (No. 5/1499/2022/A)
submitted by R.T.O., Alappuzha
(Marked through PW91)

- P134 - 11.03.2022 - Covering Letter(No.C1/1128/2022/A)
submitted by R.T.O., Alappuzha
(Marked through PW91)
- P135 - 06.01.2022 - Forwarding Report of motorcycle
(Reg. No. KL-04-AK-6879)
Letter No. C9/115/2022/A
(Marked through PW91)
- P136 - 06.01.2022 - Forwarding Report (Reg. No.KL-04-AP-1965)
Letter No. C4/103/2022/A
(Marked through PW91)
- P137 - 24.12.2021 - Report of Single Digit Fingerprint Bureau
(No. 190/SOC/21/SDFPB/ALP)
(Marked through PW92)
- P138 - 04.03.2022 - Report of Expert opinion in chance print
(No. 190/SOC/21/SDFPB/ALP)
(Marked through PW92)
- P138(a) - 28.02.2022 - Two Photographs in Chance print
(No. 190/SOC/21/SDFPB/ALP)
(Marked through PW92)
- P139 - 11.03.2022 - Forwarding Letter of Chance print and
Fingerprint Slip
(No. 190/SOC/21/SDFPB/ALP)
(Marked through PW92)
- P140 - 14.01.2022 - Fingerprint search slip of Naisam
(No. 22/DA/2022/SDFPB/ALP)
(Marked through PW92)

- P141 - 03.01.2022 - Palm Print search slip of Naisam,
(series) (No. 22/DA/2022/SDFPB/ALP)
(Marked through PW92)
- P142 - 31.12.2021 - Wound Certificate
(No. ML No. 37/WC/FMA/21)
Department of Forensic Medicine
TD Medical College, Alappuzha.
(Marked through PW93)
- P143 - 04.03.2022 - Covering Letter of Single digit Fingerprint
Bureau Alappuzha
(No.190/SOC/2021/SDFPB/ALP)
(Marked through PW94)
- P144 - 19.12.2021 - Seizure Mahazar (Marked through PW 95)
- P144(a)- 19.12.2021 - Report submitted by SI of Police,
South Police Station, Alappuzha
(Marked through PW154)
- P145 - 21.12.2021 - Seizure Mahazar (Marked through PW 95)
- P145(a) - 21.12.2021 - Report submitted by SI of Police,
South Police Station, Alappuzha
(Marked through PW154)
- P146 - 21.12.2021 - Special Inventory (Marked through PW 95)
- P146(a) - 21.12.2021 - Report submitted by SI of Police,
South Police Station, Alappuzha
(Marked through PW154)
- P147 - 29.12.2021 - Seizure Mahazar
(Marked through PW95)

- P147(a) - 29.12.2021 - Report submitted by DySP
(Marked through PW156)
- P148 - 02.01.2022 - Seizure Mahazar
(Marked through PW95)
- P148(a) - 02.01.2022 - Report submitted by DySP
(Marked through PW156)
- P149 - 12.01.2022 - Seizure Mahazar
(Marked through PW95)
- P149(a) - 12.01.2022 - Report submitted by DySP
(Marked through PW156)
- P150 - 26.02.2022 - Seizure Mahazar
(Marked through PW95)
- P150(a) - 26.02.2022 - Report submitted by DySP
(Marked through PW156)
- P151 - 09.02.2022 - Covering Letter of 65B Certificate
submitted by Circle Nodal Officer,
Vodafone Idea Ltd. (Marked through PW96)
- P152 - 09.02.2022 - U/s. 65B(4) Certificate of the Indian
Evidence Act (Marked through PW96)
- P153 - 06.11.2021 - K.Y.C. Application form of Abdul Kalam J.A.
(Marked through PW96)
- P153(a) - 06.11.2021 - P.O.I Document Display
(series) Customer name - Abdul Kalam J.A.
(Marked through PW96)

- P154 - 18.12.2021 - Vodafone Idea call data Records (Page 1 to 4)
Dated 18.12.2021 to 19.12.2021
(Marked through PW96)
- P155 - 03.08.2020 - K.Y.C. Application form of Naisam
(Marked through PW96)
- P155(a) - 03.08.2020 - P.O.I. Document Display
(series) Customer Name - Naisam
(Marked through PW96)
- P156 - 18.12.2021 - Vodafone Idea call data Records(Page 1 to 2)
Dated 18.12.2021 to 19.12.2021
(Marked through PW96)
- P156(a) - 04.10.2023 - Certified copy of Decoded Cell IDS
(Marked through PW96)
- P157 - 17.07.2017 - Prepaid Customer re-verification
EKYC Application form Idea Cellular Ltd. (Aji)
(Marked through PW96)
- P158 - 18.12.2021 - Vodafone Idea call data Records (Page 1 to 3)
(Marked through PW96)
- P159 - 08.10.2019 - K.Y.C. Application form of Nasar M.
(Marked through PW96)
- P159(a) - 08.10.2019 - P.O.I. Document Display
(series) Customer Name – Nasar M.
(Marked through PW96)
- P160 - 18.12.2021 - Vodafone Idea call data Records (Page- 1)
(Marked through PW96)

- P161 - 28.10.2017 - Re-verification of Prepaid Customer Application form of Sudheer T.
(Marked through PW96)
- P162 - 18.12.2021 - Vodafone Idea call data Records (Page -1)
(Marked through PW96)
- P163 - 08.10.2017 - Prepaid Customer Application form of Naseer
(Marked through PW96)
- P164 - 18.12.2021 - Vodafone Idea call data Records(page -1)
(Marked through PW96)
- P165 - 13.08.2018 - Prepaid customer EKYC Application form of Safarudheen Sali (Marked through PW 96)
- P166 - 18.12.2021 - Vodafone Idea call data Records(Page -1)
(Marked through PW96)
- P167 - 18.11.2017 - Prepaid Customer re-verification EKYC Application form of Manshad M.
(Marked through PW96)
- P168 - 18.12.2021 - Vodafone Idea call data Records(Page No.1&2)
(Marked through PW96)
- P169 - 02.03.2022 - Specimen writing Mahazar (S1)
(Marked through PW97)
- P169(a) - 02.03.2022 - Specimen writing Mahazar (S2)
(Marked through PW97)
- P169(b) - 02.03.2022 - Specimen writing Mahazar (S3)
(Marked through PW97)
- P169(c) - 02.03.2022 - Specimen writing Mahazar (S4)
(Marked through PW97)

- P169(d) - 02.03.2022 - Specimen writing Mahazar (S5)
(Marked through PW97)
- P169(e) - 02.03.2022 - Specimen writing Mahazar (S6)
(Marked through PW97)
- P170 - 20.12.2021 - Seizure Mahazar
(Marked through PW99)
- P170(a) - 20.12.2021 - Report submitted by SHO,
South Police Station, Alappuzha
(Marked through PW154)
- P171 - 16.02.2022 - Inventory, Description of the Document
(Marked through PW100)
- P171(a) - 16.02.2022 - Report submitted by DySP
(Marked through PW156)
- P172 - 16.02.2022 - Inventory, Description of the Document
(Marked through PW100)
- P172(a) - 16.02.2022 - Report submitted by DySP
(Marked through PW156)
- P173 - 16.02.2022 - Inventory, Description of the Document
(Marked through PW100)
- P173(a) - 16.02.2022 - Report submitted by DySP
(Marked through PW156)
- P174 - 03.03.2022 - Inventory (Marked through PW100)
- P174(a) - 03.03.2022 - Report submitted by DySP
(Marked through PW156)

- P175 - 10.02.2022 - Certificate and call details Report of Airtel
(Series) (Letter No. BAL/KL/ Nodal/KP/JAN/113)
(Marked through PW100)
- P175(A) - 02.07.2019 - Customer Application form of Ajmal
(Marked through PW155)
- P175(B) - 18.12.2021 - Call details Report (Mobile No. 9744646031)
(Marked through PW155)
- P175(C) - 14.01.2021 - Customer Application form of Ajmal
(Marked through PW155)
- P175(D) - 18.12.2021 - Call details Report (Mobile No. 8089000170)
(Marked through PW155)
- P175(E) - 11.08.2021 - Customer Application form of Abdul Kalam J.A.
(Marked through PW155)
- P175(F) - 16.09.2021 - Customer Application form of
Abdul Kalam P.A. (Marked through PW155)
- P175(G) - 18.12.2021 - Call details Report (Mobile No. 8891339669)
(Marked through PW155)
- P175(H) - 18.11.2017 - Customer Application form of Manshad M.
(Marked through PW155)
- P175(I) - 20.10.2017 - Customer Application form of Navas S.
(Marked through PW155)
- P175(J) - 18.12.2021 - Call details Report (Mobile No. 7356913917)
(Marked through PW155)
- P175(K) - 20.06.2017 - Customer Application form Navas S.
(Marked through PW155)

- P175(L) - 18.12.2021 - Call details Report (Mobile No. 7994310682)
(Marked through PW155)
- P175(M)- 22.08.2018 - Customer Application form of Sameer S.
(Marked through PW155)
- P175(N)- 18.12.2021 - Call details Report (Mobile No. 9846034842)
(Marked through PW155)
- P175(O)- 13.11.2020 - Customer Application form of Sameer S.
(Marked through PW155)
- P175(P) - 18.12.2021 - Call details Report (Mobile No. 9037420842)
(Marked through PW155)
- P175(Q)- 08.03.2018 - Customer Application form of Naseer A.
(Marked through PW155)
- P175(R) - 18.12.2021 - Call details Report(Mobile No. 9895220162)
(Marked through PW155)
- P175(S) - 27.07.2017 - Customer Application form of Naseer A.
(Marked through PW155)
- P175(T) - 18.12.2021 - Call details Report (Mobile No. 9895098719)
(Marked through PW155)
- P175(U)- 29.12.2020 - Customer Application form of Sakeer Hussain
(Marked through PW155)
- P175(V) - 18.12.2021 - Call Details Report (Mobile No. 7736765770)
(Marked through PW155)
- P175(W)- 21.10.2017 - Customer Application form of Shaji
(Marked through PW155)
- P175(X) - 18.12.2021 - Call details Report (Mobile No. 9744639721)
(Marked through PW155)

- P175(Y) - 18.01.2019 - Customer Application form of Shernas Asharaf
(Marked through PW155)
- P175(Z) - 18.12.2021 - Call details Report (Mobile No. 8129132611)
(Marked through PW155)
- P175(AA)- 11.03.2020 - Customer Application form of Sajeer K.
(Marked through PW155)
- P175(AB)- 18.12.2021 - Call details Report (Mobile No. 8921877094)
(Marked through PW155)
- P175(AC)- 07.10.2019 - Customer Application form of Nahas P.B.
(Marked through PW155)
- P175(AD)- 18.12.2021 - Call details Report (Mobile No. 8129207125)
(Marked through PW155)
- P175(AE)- 22.08.2010 - Customer Application form of Nahas P.B.
(Marked through PW155)
- P175(AF)- 18.12.2021 - Call details Report (Mobile No. 9072209123)
(Marked through PW155)
- P175(AG)- 13.02.2021 - Customer Application form of Arshad Navas
(Marked through PW155)
- P175(AH)- 18.12.2021 - Call details Report (Mobile No. 9020307352)
(Marked through PW155)
- P175(AI)- 09.07.2020 - Customer Application form of Arshad Navas
(Marked through PW155)
- P175(AJ)- 18.12.2021 - Call details Report (Mobile No. 8129522717)
(Marked through PW155)
- P175(AK)- 21.08.2018 - Customer Application form of Rahim
(Marked through PW155)

- P175(AL)- 18.12.2021 - Call details Report(Mobile No. 9895535402)
(Marked through PW155)
- P175(AM)- 23.11.2021 - Customer Application form of Naisam
(Marked through PW155)
- P175(AN)- 18.12.2021 - Call details Report (Mobile No. 9048119469)
(Marked through PW155)
- P175(AO)- 19.03.2020 - Customer Application form of Sulfikar S.
(Marked through PW155)
- P175(AP)- 18.12.2021 - Call details Report (Mobile No.9946577727)
(Marked through PW155)
- P175(AQ)- 28.02.2022 - Certified copy of Decoded Cell IDS
BAL/KL/Nodal/KP/FEB/271
(Marked through PW155)
- P176 - 15.02.2022 - U/s. 65B(4) (C)Certificate
(Series) Call details Report of Jio,
Letter No. LEA/Court LTR No. 269/2/2022
(Marked through PW100)
- P176(A)- 15.02.2022 - 65B Certificate
(Marked through PW139)
- P176(B1)- 06.07.2021 - Customer Application form of Naisam
(Marked through PW139)
- P176(B2)- 06.07.2021 - Copy of Aadhaar
(Marked through PW139)
- P176(B3)- 06.07.2021 - Call details Report- 3 pages
(Marked through PW139)

- P176(C1)- 15.06.2021 - Customer Application form of Naisam
(Marked through PW139)
- P176(C2)- 15.06.2021 - Copy of Aadhaar
(Marked through PW139)
- P176(C3)- 15.06.2021 - Call details Report- 2 pages
(Marked through PW139)
- P176(D1)- 08.04.2019 - Customer Application form of Sudheer
(Marked through PW139)
- P176(D2)- 08.04.2019 - Copy of Aadhaar
(Marked through PW139)
- P176(D3)- 08.04.2019 - Call details Report- 6 pages
(Marked through PW139)
- P176(E1)- 08.10.2019 - Customer Application form of Naseer
(Marked through PW139)
- P176(E2)- 08.10.2019 - Copy of Aadhaar
(Marked through PW139)
- P176(E3)- 08.10.2019 - Call details Report- 5 pages
(Marked through PW139)
- P176(F1)- 20.05.2019 - Customer Application form of Jubairiya
(Marked through PW139)
- P176(F2)- 20.05.2019 - Copy of Aadhaar
(Marked through PW139)
- P176(F3)- 20.05.2019 - Call details Report- 3 pages
(Marked through PW139)
- P176(G1)-11.08.2021 - Customer Application form of Abdul Kalam
(Marked through PW139)

- P176(G2)- 11.08.2021 - Copy of Aadhaar
(Marked through PW139)
- P176(G3)- 11.08.2021 - Call details Report- 3 pages
(Marked through PW139)
- P176(H1)- 16.07.2021 - Customer Application form of Safarudheen
(Marked through PW139)
- P176(H2)- 16.07.2021 - Copy of Driving Licence
(Marked through PW139)
- P176(H3)- 16.07.2021 - Call details Report- 3 pages
(Marked through PW139)
- P176(I1)- 20.08.2020 - Customer Application form of Jaseeb
(Marked through PW139)
- P176(I2)- 20.08.2020 - Copy of Aadhaar
(Marked through PW139)
- P176(I3)- 20.08.2020 - Call details Report
(Marked through PW139)
- P176(J1)- 10.02.2017 - Customer Application form of Sinu (Biometric)
(Marked through PW139)
- P176(J2)- 10.02.2017 - Call details Report- 5 pages
(Marked through PW139)
- P176(K1)- 10.12.2020 - Customer Application form of Safarudheen
(Marked through PW139)
- P176(K2)- 10.12.2020 - Copy of Aadhaar
(Marked through PW139)
- P176(K3)- 10.12.2020 - Call details Report- 5 pages
(Marked through PW139)

- P176(L1)- 20.07.2017 - Customer Application form of Nishad (Biometric) (Marked through PW139)
- P176(L2)- 20.07.2017 - Call details Report- 4 pages (Marked through PW139)
- P176(M1)- 18.04.2017 - Customer Application form of Jubairiya (Biometric) (Marked through PW139)
- P176(M2)- 18.04.2017 - Call details Report- 6 pages (Marked through PW139)
- P176(N1)- 18.06.2017 - Customer Application form of Suhail (Biometric) (Marked through PW139)
- P176(N2)- 18.06.2017 - Call details Report- 8 pages (Marked through PW139)
- P176(O1)- 24.01.2017 - Customer Application form of Aji M. (Biometric) (Marked through PW139)
- P176(O2)- 24.01.2017 - Call details Report- 5 pages (Marked through PW139)
- P176(P)- 11.10.2023 - Tower location details of CELL IDS (Marked through PW139)
- P177 - 22.02.2022 - Certificate and call details Report of B.S.N.L. (Series) (Letter No. BSNL/MS-EKM/LEA-11/IT-CERT/2021-2022/422) (Marked through PW100)
- P177(A)- 22.02.2022 - 65-B Certificate of BSNL (Marked through PW140)
- P177(B)- 18.12.2021 - Call details Report(Mobile No. 9633404520)- 3 pages (Marked through PW140)

- P177(C)- 22.02.2022 - 65-B Certificate of BSNL
(Marked through PW140)
- P177(D)- 18.12.2021 - Call details Report(Mobile No. 9947701110)-
3 pages (Marked through PW140)
- P177(E)- 22.02.2022 - 65-B Certificate of BSNL
(Marked through PW140)
- P177(F)- 18.12.2021 - Call details Report (Mobile No. 9947701112)-
1 page (Marked through PW140)
- P177(G)- 22.02.2022 - 65-B Certificate of BSNL
(Marked through PW140)
- P177(H)- 18.12.2021 - Call details Report (Mobile No. 9747701110)-
3 pages (Marked through PW140)
- P177(I)- 22.02.2022 - 65-B Certificate of BSNL
(Marked through PW140)
- P177(J)- 18.12.2021 - Call details Report(Mobile No. 7736501659)-
1 page (Marked through PW140)
- P177(K)- 07.02.2018 - Customer Application form of Anoop A.H.
(Marked through PW140)
- P177(L)- 20.02.2019 - Customer Application form of
Muhammed Aslam
(Marked through PW140)
- P177(M)- 20.02.2019 - Aadhaar copy of Muhammed Aslam
(Marked through PW140)
- P177(N)- 27.09.2023 - Certificate (No.BSNL/MS-EKM/LEA-11/IT-
CERT/2023-2024/199)
(Marked through PW140)

- P178 - 26.02.2022 - Mahazar (Marked through PW101)
- P178(a) - 26.02.2022 - Report of DySP (Marked through PW156)
- P178(b) - 26.02.2022 - Portion of Confession Statement
(Marked through PW156)
- P178(c) - 26.02.2022 - Report of DySP (Marked through PW156)
- P179 - 17.01.2022 - Running Mahazar (Marked through PW102)
- P179(a) - 17.01.2022 - Report of DySP (Marked through PW156)
- P179(b) - 17.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P179(c)- 17.01.2022 - Report of DySP (Marked through PW156)
- P180 - 27.12.2021 - Mahazar and report (Marked through PW105)
- P180(a) - 27.12.2021 - Report submitted by V.D. Reji Raj, S.I. of Police,
(Marked through PW150)
- P180(b)- 27.12.2021 - Report submitted by DySP
(Marked through PW156)
- P181 - 27.12.2021 - Seizure Mahazar of Hash Value report
T-17 Pendrive (Marked through PW105)
- P182 - 27.12.2021 - Seizure Mahazar of Hash Value report
T-19 Pendrive (Marked through PW105)
- P183 - 26.12.2021 - Seizure Mahazar of T-7 Pendrive
(Marked through PW106)
- P183(a)- 26.12.2021 - Report submitted by Nidhin Raj, S.I. of
police(Marked through PW143)
- P183(b)- 26.12.2021 - Report submitted by Nidhin Raj S.I. of
police (Marked through PW143)

- P183(c)- 26.12.2021 - Report of DySP
(Marked through PW156)
- P184 - 26.12.2021 - T-7 Pendrive (Marked through PW106)
- P185 - 26.12.2021 - Seizure Mahazar of T-13 Pendrive
(Marked through PW106)
- P185(a)- 26.12.2021 - Report of Nidhin Raj, S.I. of police
(Marked through PW143)
- P185(b)- 26.12.2021 - Report submitted by DySP
(Marked through PW156)
- P186 - 26.12.2021 - Seizure Mahazar of Hash Value report
T-15 Pendrive (Marked through PW106)
- P186(a)- 26.12.2021 - Report of Nidhin Raj, S.I. of police
(Marked through PW143)
- P186(b)- 26.12.2021 - Report submitted by DySP
(Marked through PW156)
- P187 - 01.02.2022 - Search List (House of Surumi, wife of A3)
(Marked through PW106)
- P187(a)- 01.02.2022 - Report submitted by Arun S., SI of Police,
South Police Station, Alappuzha
(Marked through PW154)
- P187(a)- 01.02.2022 - Report submitted by DySP
(By mistake again marked)
(Marked through PW156)
- P188 - 02.01.2022 - Seizure Mahazar or Inventory
(Marked through PW107)

- P188(a)- 02.01.2022 - Report submitted by DySP
(Marked through PW156)
- P189 - 07.01.2022 - Seizure Mahazar or Inventory
(Marked through PW107)
- P189(a)- 07.01.2022 - Report submitted by DySP
(Marked through PW156)
- P190 - 07.02.2022 - Seizure Mahazar or Inventory
(Marked through PW107)
- P190(a)- 07.02.2022 - Report of DySP
(Marked through PW156)
- P191 - 11.03.2022 - Inventory Mahazar
(Marked through PW107)
- P192 - 01.01.2022 - Seizure Mahazar or Inventory
(Marked through PW107)
- P192(a)- 01.01.2022 - Report of DySP
(Marked through PW156)
- P193 - 24.12.2022 - Seizure Mahazar or Inventory
(Marked through PW108)
- P193(a)- 24.12.2022 - Report submitted DySP
(Marked through PW156)
- P194 - 04.01.2022 - Seizure Mahazar or Inventory
(Marked through PW108)
- P194(a) - 05.01.2022 - Report submitted by DySP
(Marked through PW156)
- P195 - 12.02.2022 - Inventory Report
(Marked through PW108)

- P195(a) - 12.02.2022 - Report of DySP
(Marked through PW156)
- P196 - 23.02.2022 - Seizure Mahazar or Inventory
(Marked through PW108)
- P196(a) - 23.02.2022 - Report of DySP
(Marked through PW156)
- P197 - 04.03.2022 - Seizure Mahazar or Inventory
(Marked through PW108)
- P197(a) - 04.03.2022 - Report of DySP
(Marked through PW156)
- P198 - 06.03.2022 - Seizure Mahazar or Inventory
(Marked through PW108)
- P198(a) - 06.03.2022 - Report of DySP
(Marked through PW156)
- P199 - 11.03.2022 - Seizure Mahazar or Inventory
(Marked through PW108)
- P199(a) - 11.03.2022 - Report of DySP
(Marked through PW156)
- P200 - 27.12.2021 - Search Report (Marked through PW111)
- P201 - 30.12.2021 - Search Report (Marked through PW111)
- P202 - 30.12.2021 - Search List (Marked through PW113)
- P203 - 30.12.2021 - Form - 15 (Marked through PW113)
- P203(a) - 30.12.2021 - Laminated Aadhaar card of Nishad
(No. 668709169745)
(Marked through PW113)

- P203(b) - 30.12.2021 - SBT Passbook, bearing No. 20166333577
(Marked through PW113)
- P203(c) - 30.12.2021 - Passport size photo of a bearded man
(Marked through PW113)
- P203(d) - 30.12.2021 - Notice named as '*Bahujana Sangamam*'
(Marked through PW113)
- P204 - 30.12.2021 - Search List (Marked through PW113)
- P205 - 30.12.2021 - Report to JMFC Court -I, Alappuzha
(Marked through PW113)
- P206 - 30.12.2021 - TR.13/22 (Marked through PW113)
- P207 - 30.12.2021 - Form -15 (Marked through PW113)
- P207(a)- 30.12.2021 - Copy of Aadhaar card of Manshad
(series)
(No. 26274647 8628)
(Marked through PW113)
- P207(b) - 30.12.2021 - Federal Bank cheque book
(A/c No. 12510100282619)
(Marked through PW113)
- P207(c) - 30.12.2021 - R.C Book of Honda CBF Stunner
(Reg. No. KL-04-Z-1430)
(Marked through PW113)
- P207(d) - 30.12.2021 - Federal Bank pass book
(A/c No. 12510100282619)
(Marked through PW113)
- P207(e) - 30.12.2021 - Passport size photo (bearded photo)
(Marked through PW113)

- P207(f) - 26.08.2021 - Income Certificate issued by Village Officer, Mannanchery (Marked through PW113)
- P207(g) - 05.07.2019 - Birth Certificate of Muhsinul Ameen M (Form 5) (Marked through PW113)
- P207(h) - 30.07.2018 - The New India Assurance Company Policy Certificate (Marked through PW113)
- P208 - 05.01.2022 - Search Report (Marked through PW113)
- P209 - 16.01.2022 - Search Report (Marked through PW113)
- P210 - 31.01.2022 - Search Report (Marked through PW113)
- P211 - 10.02.2022 - Search Report (Marked through PW113)
- P212 - 20.12.2021 - Receipt of Chemical Examination Laboratory, TVM (No. 6439/2021/TVM/TX-3499) (Marked through PW114)
- P213 - 25.12.2021 - Seizure Mahazar of Hash Value Report T4- Pendrive (Marked through PW116)
- P214 - 25.12.2021 - Seizure Mahazar T4- Pendrive (Marked through PW116)
- P214(a) - 25.12.2021 - Report of DySP (Marked through PW156)
- P215 - 25.12.2021 - Seizure Mahazar of Hash Value Report T-3Pendrive (Marked through PW116)
- P216 - 25.12.2021 - Seizure Mahazar of Hash Value Report T-5 Pendrive (Marked through PW116)
- P217 - 26.12.2021 - Seizure Mahazar of Hash Value Report T-7 Pendrive (Marked through PW116)

- P218 - 26.12.2021 - Seizure Mahazar of Hash Value Report
T-9 Pendrive (Marked through PW116)
- P219 - 26.12.2021 - Seizure Mahazar of Hash Value Report
T-11 Pendrive (Marked through PW116)
- P220 - 26.12.2021 - Seizure Mahazar of Hash Value Report
T-13 Pendrive (Marked through PW117)
- P221 - 26.12.2021 - Seizure Mahazar of Hash Value Report
T-15 Pendrive (Marked through PW117)
- P222 - 26.12.2021 - Seizure Mahazar and Report
T-11 Pendrive (Marked through PW117)
- P222(a) - 26.12.2021 - Report submitted by Nidhin Raj, S.I. of
police (Marked through PW143)
- P222(b) - 26.12.2021 - Report of DySP
(Marked through PW156)
- P223 - 16.03.2022 - Relevant portion of 161 Statement
(Selma beevi) (Marked through PW118)
- P224 - 16.03.2022 - Relevant portion of 161 Statement
(Selma beevi) (Marked through PW118)
- P225 - 16.03.2022 - Relevant portion of 161 Statement
(Selma beevi) (Marked through PW118)
- P226 - 16.03.2022 - Relevant portion of 161 Statement
(Selma beevi) (Marked through PW118)
- P227 - 26.12.2021 - Relevant portion of 161 Statement
(Muhammed Saleel)(Marked through PW120)
- P228 - 19.12.2021 - Relevant portion of 161 Statement (Booto)
(Marked through PW121)

- P229 - 19.12.2021 - Relevant portion of 161 Statement (Booto)
(Marked through PW121)
- P230 - 03.02.2022 - 65B Certificate (Marked through PW121)
- P231 - 19.12.2021 - Portion of 161 Statement (Booto)
(Marked through PW121)
- P232 - 19.12.2021 - Portion of 161 Statement (Booto)
(Marked through PW121)
- P233 - 19.12.2021 - Portion of 161 Statement (Booto)
(Marked through PW121)
- P234 - 27.12.2021 - Portion of 161 Statement (Nahas)
(Marked through PW122)
- P235 - 27.12.2021 - Portion of 161 Statement (Nahas)
(Marked through PW122)
- P236 - 08.01.2022 - Recovery Mahazar of Sword (MO4)
(Marked through PW123)
- P236(a)- 08.01.2022 - Report of DySP (Marked through PW156)
- P236(b) - 08.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P236(c) - 08.01.2022 - Report of DySP (Marked through PW156)
- P237 - 29.12.2021 - Recovery Mahazar of Scooter
(Reg. No. KL-04-AM- 7048)
(Marked through PW125)
- P237(a) - 29.12.2021 - Relevant Portion of 161 Statement (PW125)
(Marked through PW156)
- P237(b) - 29.12.2021 - Report of DySP (Marked through PW156)

- P237(c) - 29.12.2021 - Report submitted by DySP
(Marked through PW156)
- P237(d) - 29.12.2021 - Portion of Confession Statement
(Marked through PW156)
- P237(e) - 29.12.2021 - Report of DySP (Marked through PW156)
- P238 - 14.01.2022 - Recovery Mahazar of clothes and
footwear (MO15)
(Marked through PW126)
- P238(a) - 14.01.2022 - Report of DySP (Marked through PW156)
- P238(b) - 14.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P238(c) - 14.01.2022 - Report of DySP (Marked through PW156)
- P239 - 25.12.2021 - Portion of 161 Statement (Anzil)
(Marked through PW127)
- P240 - 25.12.2021 - Portion of 161 Statement (Anzil)
(Marked through PW127)
- P241 - 25.12.2021 - Portion of 161 Statement (Anzil)
(Marked through PW127)
- P242 - 02.01.2022 - Recovery Mahazar of clothes (MO10)
(Marked through PW129)
- P242(a) - 02.01.2022 - Report of DySP (Marked through PW156)
- P242(b) - 02.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P242(c) - 02.01.2022 - Report of DySP (Marked through PW156)
- P243 - 03.02.2022 - Portion of 161 Statement (Shuhaib)
(Marked through PW130)

- P244 - 03.02.2022 - T-20 Pendrive (TR. 94/2022)
(Marked through PW130)
- P245 - 03.02.2022 - Portion of 161 Statement (Shuhaib)
(Marked through PW130)
- P246 - 03.02.2022 - Portion of 161 Statement (Shuhaib)
(Marked through PW130)
- P247 - 03.02.2022 - Portion of 161 statement (Shuhaib)
(Marked through PW130)
- P247 - 12.01.2022 - Portion of 161 Statement (Anzar)
(By mistake again marked)
(Marked through PW131)
- P248 - 12.01.2022 - Recovery Mahazar (Ash)
(Marked through PW131)
- P248(a) - 12.01.2022 - Report of DySP (Marked through PW156)
- P248(b) - 12.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P248(c) - 12.01.2022 - Report of DySP (Marked through PW156)
- P248(d) - 12.01.2022 - Report of DySP (Marked through PW156)
- P249 - 12.01.2022 - Portion of 161 Statement (Anzar)
(Marked through PW131)
- P250 - 16.01.2022 - Recovery Mahazar of Sword
(Marked through PW132)
- P250(a) - 16.01.2022 - Report of DySP (Marked through PW156)
- P250(b) - 16.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P250(c) - 16.01.2022 - Report of DySP (Marked through PW156)

- P251 - 16.01.2022 - Recovery Mahazar of dress
(Marked through PW133)
- P251(a) - 16.01.2022 - Report of DySP (Marked through PW156)
- P251(b) - 16.01.2022 - Portion of Confession Statement
(Marked through PW156)
- P251(c) - 16.01.2022 - Report of DySP (Marked through PW156)
- P252 - 26.12.2021 - Portion of 161 Statement (Noufal)
(Marked through PW135)
- P253 - 26.12.2021 - Portion of 161 Statement (Noufal)
(Marked through PW135)
- P254 - 26.12.2021 - Portion of 161 statement (Noufal)
(Marked through PW135)
- P255 - 26.12.2021 - Portion of 161 Statement (Noufal)
(Marked through PW135)
- P256 - 03.03.2022 - Recovery Mahazar of Ash
(Marked through PW137)
- P256(a) - 03.03.2022 - Report of DySP (Marked through PW156)
- P256(b) - 03.03.2022 - Portion of Confession Statement
(Marked through PW156)
- P256(c) - 03.03.2022 - Report of DySP (Marked through PW156)
- P257 - 15.01.2022 - Scene Mahazar (Marked through PW138)
- P257(a) - 15.01.2022 - Report submitted by SI of Police,
South Police Station, Alappuzha
(Marked through PW154)
- P258 - 24.02.2022 - Recovery Mahazar of MO8 (Iron Rod)
(Marked through PW141)

- P258(a) - 24.02.2022 - Report of DySP (Marked through PW156)
- P258(b) - 24.02.2022 - Portion of Confession Statement
(Marked through PW156)
- P258(c) - 24.02.2022 - Report of DySP (Marked through PW156)
- P259 - 24.02.2022 - Recovery Mahazar of MO16 (blue pant)
(Marked through PW142)
- P259(a) - 24.02.2022 - Report of DySP (Marked through PW156)
- P259(b) - 24.02.2022 - Report submitted by DySP
(Marked through PW156)
- P259(c) - 24.02.2022 - Portion of Confession Statement
(Marked through PW156)
- P259(d) - 24.02.2022 - Report of DySP (Marked through PW156)
- P260 - 11.01.2022 - Test Identification Report of Sri. Visakh
(Marked through PW144)
- P260(a) - 19.01.2022 - Covering letter of Test Identification Report
(Marked through PW145)
- P261 - 02.02.2022 - Test Identification Report of Sri. Joji Thomas
(Marked through PW145)
- P261(a) - 17.02.2022 - Covering letter of Test Identification Report
(Marked through PW145)
- P262 - 16.01.2022 - Portion of 161 Statement (Sudheer)
(Marked through PW147)
- P263 - 16.01.2022 - Recovery Mahazar (Marked through PW147)
- P263(a) - 16.01.2022 - Report of DySP (Marked through PW156)
- P263(b) - 16.01.2022 - Portion of Confession Statement
(Marked through PW156)

- P263(c) - 16.01.2022 - Report of DySP (Marked through PW156)
- P264 - 16.01.2022 - Portion of 161 Statement (Sudheer)
(Marked through PW147)
- P265 - 16.01.2022 - Portion of 161 Statement (Sudheer)
(Marked through PW147)
- P266 - 03.03.2022 - Portion of 161 Statement (T.S. Jamal)
(Marked through PW148)
- P267 - 03.03.2022 - Recovery Mahazar
(Marked through PW148)
- P267(a) - 03.03.2022 - Report of DySP
(Marked through PW156)
- P267(b) - 03.03.2022 - Portion of Confession Statement
(Marked through PW156)
- P267(c) - 03.03.2022 - Report of DySP(Marked through PW156)
- P268 - 11.03.2022 - CCTV Time chart and Route map chart-
1st sheet (Marked through PW149)
- P269 - 11.03.2022 - CCTV Time chart and Route map chart -
IInd sheet(Marked through PW149)
- P270 - 11.03.2022 - CCTV Time chart and Route map chart -
IIIrd sheet(Marked through PW149)
- P271 - 19.12.2021 - FIR (Marked through PW150)
- P272 - 19.12.2021 - Delay Report submitted by V.D. Reji Raj,
S.I. of Police(Marked through PW150)
- P273 - 27.12.2021 - Report submitted by V.D. Reji Raj,S.I. of Police,
(Marked through PW150)

- P274 - 26.12.2021 - Report submitted by Mohit, S.I. of Police
(Marked through PW151)
- P275 - 10.01.2022 - Report submitted by Mohit, S.I. of Police
(Marked through PW151)
- P276 - 19.01.2022 - Report submitted by Mohit, S.I. of Police
(Marked through PW151)
- P277 - 27.01.2022 - Report submitted by Mohit, S.I. of Police
(Marked through PW151)
- P278 - 09.02.2022 - Report submitted by Mohit, S.I. of Police
(Marked through PW151)
- P279 - 21.02.2022 - Report submitted by Mohit, S.I. of Police
(Marked through PW151)
- P280 - 30.12.2021 - Search List of A12
(Marked through PW152)
- P281 - 30.12.2021 - Search Memo (Marked through PW152)
- P282 - 30.12.2021 - TR. 1/2022 (Marked through PW152)
- P283 - 30.12.2021 - Form-15 (Marked through PW152)
- P284 - 30.12.2021 - Passport of Naseer A.
(Marked through PW152)
- P285 - 30.12.2021 - Aadhaar Card of Naseer A.
(Marked through PW152)
- P286 - 30.12.2021 - Election ID Card of Naseer A
(Marked through PW152)
- P287 - 30.12.2021 - Driving Licence of Naseer A
(Marked through PW152)

- P288 - 30.12.2021 - PAN Card of Naseer A
(Marked through PW152)
- P289 - 30.12.2021 - SBI Debit card of Haseena
(Marked through PW152)
- P290 - 30.12.2021 - Ration card of Haseena
(Marked through PW152)
- P291 - 30.12.2021 - SDPI Branch Register (137 Pages)
(Marked through PW152)
- P292 - 30.12.2021 - *Traimasika* named as 'Ithal'
(Marked through PW152)
- P293 - 30.12.2021 - Speeches of All India Juma Council
(Marked through PW152)
- P294 - 30.12.2021 - Book (*Islam- Adarsham, Munnettam, Douthyam*) (Marked through PW152)
- P295 - 30.12.2021 - 'Thejas' Weekly (October 19)
(*Case Attimariyude Kanaappurangal*)
(Marked through PW152)
- P296 - 30.12.2021 - Book (*Shaktheekarana Paathayil Munnott*)
Popular Front of India)
(Marked through PW152)
- P297 - 30.12.2021 - Monthly subscription card of Nasar
(Marked through PW152)
- P298 - 30.12.2021 - 'Thejas' Weekly
(Marked through PW152)
- P299 - 30.12.2021 - Ramson Deluxe Register (39 to 160 Pages)
(Marked through PW152)

- P300 - 30.12.2021 - Pass Book of Nasar & Haseena of Alappuzha District Co-operative Bank
(Marked through PW152)
- P301 - 30.12.2021 - SBI Pass book of Haseena
(Marked through PW152)
- P302 - 30.12.2021 - Pocket Dairy (Marked through PW152)
- P303 - 30.12.2021 - Copy of R.C. Book (Reg. No. KL-31-B-6602)
(Marked through PW152)
- P304 - 30.12.2021 - Registration Certificate
(Reg. No. KL-32B-6900) (Naseer)
(Marked through PW152)
- P305 - 30.12.2021 - Monthly Guidance
(*Chuvadu Urappikkam*-12 pages)
(Marked through PW152)
- P306 - 30.12.2021 - Attested copy of Tax token and R.C. Book
bearing No. KL-4S-6183
(Marked through PW152)
- P307 - 21.09.1994 - Photocopy of settlement deed
(Naseer M.A. and Haseena)
(Marked through PW152)
- P308 - 30.12.2021 - Search Memo (Marked through PW152)
- P309 - 30.12.2021 - Search List (Marked through PW152)
- P310 - 30.12.2021 - TR. 11/2022 (Marked through PW152)
- P311 - 30.12.2021 - Form No-15 (Marked through PW152)
- P312 - 30.12.2021 - Passport of Muhammed Aslam
(Marked through PW152)

- P313 - 30.12.2021 - Aadhar card of Muhammed Aslam
(Marked through PW152)
- P314 - 30.12.2021 - Driving Licence of Muhammed Aslam
(Marked through PW152)
- P315 - 30.12.2021 - HDFC Bank ATM card of Muhammed Aslam
(Marked through PW152)
- P316 - 30.12.2021 - HDFC Bank ATM card of Muhammed Aslam
(Marked through PW152)
- P317 - 30.12.2021 - SBT Pass Book of Muhammed Aslam
(Marked through PW152)
- P318 - 30.12.2021 - Registration Certificate of Honda city car
(Reg. No. KL-04-AJ-6667)
(Marked through PW152)
- P319 - 30.12.2021 - Book (*Nammude Oru Divasam*)
(Marked through PW152)
- P320 - 30.12.2021 - Book (*Malabarinte Viplava Nayakan Variyan
Kunnathu Kunjahammad Haji*)
(Marked through PW152)
- P321 - 30.12.2021 - Classmate note book
(Marked through PW152)
- P322 - 30.12.2021 - Classmate Aqua Word (20 pages book)
(Marked through PW152)
- P323 - 30.12.2021 - Photocopy of book (*Prathirodhavum
Shaktheekaranavum-14 Pages*)
(Marked through PW152)

- P324 - 30.12.2021 - Photocopy of book
(Class I Bharanakooda Bheekaratha -8 Pages)
(Marked through PW152)
- P325 - 30.12.2021 - Search Memo of Sameer
(Marked through PW152)
- P326 - 30.12.2021 - Search List of Sameer
(Marked through PW152)
- P327 - 30.12.2021 - TR. 12/22 (Marked through PW152)
- P328 - 30.12.2021 - Form -15 (Marked through PW152)
- P329 - 30.12.2021 - Ration Card of Sameer
(Marked through PW152)
- P330 - 30.12.2021 - Aadhaar Card of Sameer
(Marked through PW152)
- P331 - 30.12.2021 - SBI Pass book of Sameer (3 Nos.)
(Marked through PW152)
- P332 - 30.12.2021 - Pass book of CARD Bank, Alappuzha (Sameer)
(Marked through PW152)
- P333 - 30.12.2021 - Three cheque leaf of SBI, Kommady Branch
(Marked through PW152)
- P334 - 30.12.2021 - Registration Certificate bearing Reg.No.
KL-4-AB-2934 (Nishad)
(Marked through PW152)
- P335 - 30.12.2021 - Registration Certificate bearing Reg. No.
KL-3F-2220 (Noufal)
(Marked through PW152)

- P336 - 30.12.2021 - Book (*SDPI Alappuzha Jilla Prathinidhi Sabha*-
40 pages)(Marked through PW152)
- P337 - 30.12.2021 - SDPI Alappuzha Jilla Prathinidhi Sabha
(Delegate Tag)
(Marked through PW152)
- P338 - 30.12.2021 - Book (*Thekkan Aryad Muthavirul Islam
Sangham and Madras Bharanaghadana*-
16 pages) (Marked through PW152)
- P339 - 30.12.2021 - Speeches (All India Imam Council -63 pages)
(Marked through PW152)
- P340 - 30.12.2021 - Ramson Aspire note book -20 Pages
(Marked through PW152)
- P341 - 30.12.2021 - DVD(*Makka Charithram*)
(Marked through PW152)
- P342 - 30.12.2021 - DVD (*Madeena Charithram*)
(Marked through PW152)
- P343 - 30.12.2021 - Ramsan Aspire note book -18 Pages
(Marked through PW152)
- P344 - 30.12.2021 - Malayala Manorama Diary- 2022
(Marked through PW152)
- P345 - 30.12.2021 - Copy of RC, Permit, Insurance Certificate,
(series) Pollution Certificate and Fitness Certificate
bearing Reg. No. KL-4AA-3041 (Noufal)
(Marked through PW152)
- P346 - 30.12.2021 - Search Memo of Ajmal
(Marked through PW152)
- P347 - 30.12.2021 - Search List (Marked through PW152)

- P348 - 30.12.2021 - TR. 1/2022 (Marked through PW152)
- P349 - 30.12.2021 - Form-15 (Marked through PW152)
- P350 - 30.12.2021 - K-gold Micro memory card
(Marked through PW152)
- P351 - 30.12.2021 - Registration Certificate (KL-04-AM-3521)
(Amjith A.) (Marked through PW152)
- P352 - 30.12.2021 - Copy of Election ID card of Seenath
(Marked through PW152)
- P353 - 30.12.2021 - Book (*Abdul Ala Moudhoothi Maranananthara Jeevitham*) (Marked through PW 152)
- P354 - 30.12.2021 - Physical Education Guide PFI
(Marked through PW152)
- P355 - 30.12.2021 - Book (*Vishwasavum Jeevithavum*)
(Marked through PW152)
- P356 - 30.12.2021 - Speeches (All India Imam Council)
(Marked through PW152)
- P357 - 30.12.2021 - 'I Will Be There For You' (A Lock Book)
(Marked through PW152)
- P358 - 30.12.2021 - Notice (Popular Front Unity March)
(Series) (Marked through PW152)
- P359 - 30.12.2021 - Notice (PFI Mannanchery Area Committee)
(Series) (Marked through PW152)
- P360 - 30.12.2021 - Note Book (Malayalam and Arabic)
(Series) (Marked through PW152)
- P361 - 30.12.2021 - PFI Notice and 5 brown paper cover
(Series) (Marked through PW152)

- P362 - 30.12.2021 - Federal Bank pass book of Ajmal (2 Nos.)
(Series) (Marked through PW152)
- P363 - 30.12.2021 - Secondary School mark list of Ajmal
(Marked through PW152)
- P364 - 30.12.2021 - CBSE Certificate of Ajmal
(Marked through PW152)
- P365 - 04.01.2022 - Absconding Report submitted by the
Investigation Officer (Marked through PW152)
- P366 - 12.01.2022 - Absconding Report submitted by the
Investigation Officer (Marked through PW152)
- P367 - 20.01.2022 - Absconding Report submitted by the
Investigation Officer (Marked through PW152)
- P368 - 26.01.2022 - Absconding Report submitted by the
Investigation Officer (Marked through PW152)
- P369 - 07.02.2022 - Absconding Report submitted by the
Investigation Officer (Marked through PW152)
- P370 - 30.12.2021 - Report regarding Seizure Article
(Marked through PW152)
- P371 - 18.12.2021 - Report regarding Call details Record Diagram
(Marked through PW153)
- P372 - 19.12.2021 - Call details record diagram of A1
(Marked through PW153)
- P373 - 18.12.2021 - Call details record diagram of A2
(Marked through PW153)
- P374 - 23.12.2021 - Call details record diagram of A3
(Marked through PW153)

- P375 - 19.12.2021 - Call details record diagram of A4
(Marked through PW153)
- P376 - 20.12.2021 - Call details record diagram of A5
(Marked through PW153)
- P377 - 19.12.2021 - Call details record diagram of A6
(Marked through PW153)
- P378 - 20.12.2021 - Call details record diagram of A7
(Marked through PW 153)
- P379 - 18.12.2021 - Call details record diagram of A8
(Marked through PW153)
- P380 - 21.12.2021 - Call details record diagram of A9
(Marked through PW153)
- P381 - 20.12.2021 - Call details record diagram of A10
(Marked through PW153)
- P382 - 19.12.2021 - Call details record diagram of A11
(Marked through PW 153)
- P383 - 21.12.2021 - Call details record diagram of A12
(Marked through PW153)
- P384 - 19.12.2021 - Call details record diagram of A13
(Marked through PW 153)
- P385 - 19.12.2021 - Call details record diagram of A14
(Marked through PW153)
- P386 - 23.12.2021 - Call details record diagram of A15
(Marked through PW153)
- P387 - 18.12.2021 - Call details record diagram of all accused
(Marked through PW153)

- P388 - 19.12.2021 - Report of SHO
(Marked through PW154)
- P389 - 19.12.2021 - Property List (TR-653/2021)
(Marked through PW154)
- P390 - 19.12.2021 - Property List (TR-654/2021)
(Marked through PW154)
- P391 - 19.12.2021 - Property List (TR-656/2021)
(Marked through PW154)
- P392 - 19.12.2021 - Form-15 (Marked through PW154)
- P393 - 19.12.2021 - Property List (TR-657/2021)
(Marked through PW154)
- P394 - 20.12.2021 - Property List (TR-655/2021)
(Marked through PW154)
- P395 - 20.12.2021 - Form-15 (Marked through PW154)
- P396 - 21.12.2021 - Property List (TR- 665/2021)
(Marked through PW154)
- P397 - 21.12.2021 - Form-15 (Marked through PW154)
- P398 - 20.12.2021 - Safe custody report of Bike (KL-4J-267)
(Marked through PW154)
- P399 - 20.12.2021 - Property List (TR-659/2021)
(Marked through PW154)
- P400 - 21.12.2021 - Property List (TR-661/2021)
(Marked through PW154)
- P400(a) - 21.12.2021 - Safe custody report of vehicle
(Reg. No. KL-04-AR-4990)
(Marked through PW154)

- P401 - 21.12.2021 - Section adding report
(Marked through PW154)
- P402 - 23.12.2021 - Search Memo of SDPI office
(Marked through PW154)
- P403 - 23.12.2021 - Search list of SDPI office
(Marked through PW154)
- P403(a) - 23.12.2021 - Report submitted by DySP
(Marked through PW154)
- P404 - 29.12.2021 - Search Memorandum (house of Jaseeb Raja)
(Marked through PW154)
- P404(a) - 29.12.2021 - Report of SHO, South Police Station,
Alappuzha (Marked through PW154)
- P405 - 29.12.2021 - Search list (house of Jaseeb Raja)
(Marked through PW154)
- P406 - 29.12.2021 - Property list (TR- 27/2022)
(Marked through PW154)
- P407 - 03.01.2022 - Kaicheet of Ration card (Jameela Beevi)
(Marked through PW154)
- P408 - 29.12.2021 - SBT cheque leaf, Alappuzha Branch
(Marked through PW154)
- P409 - 29.12.2021 - Voter's Slip (Marked through PW154)
- P410 - 29.12.2021 - Driving Licence of Jaseeb
(Marked through PW154)
- P411 - 29.12.2021 - SSLC Certificate of Jaseeb H.
(Marked through PW154)
- P412 - 29.12.2021 - Sree Gokulam Chity pass book

- (Marked through PW154)
- P413 - 29.12.2021 - PAN Card(Marked through PW154)
- P414 - 29.12.2021 - Voter's ID Card(Marked through PW154)
- P415 - 29.12.2021 - Aadhaar Card(Marked through PW154)
- P416 - 29.12.2021 - SBT cheque book without cheque leaf
(Marked through PW154)
- P417 - 29.12.2021 - Axis Bank cheque leaf (No. 114092)
(Marked through PW154)
- P418 - 29.12.2021 - Axis Bank cheque leaf (No. 114093)
(Marked through PW 154)
- P419 - 29.12.2021 - Axis Bank cheque leaf (No. 114094)
(Marked through PW154)
- P420 - 03.01.2022 - Form No. 15 (Marked through PW154)
- P421 - 03.01.2022 - Search Memorandum (house of Naisam)
(Marked through PW154)
- P422 - 03.01.2022 - Search List (Marked through PW154)
- P423 - 03.01.2022 - Property List (TR.32/2022)
(Marked through PW154)
- P424 - 01.02.2022 - Report submitted by Arun S., S.I. of
police (Marked through PW154)
- P425 - 15.01.2022 - Recovery Mahazar of car
(Reg. No. KL-01-BA-3535)
(Marked through PW154)
- P425(a) - 15.01.2022 - Portion of 161 Statement
(Shaji @ Poovathil Shaji)
(Marked through PW154)

- P425(b) - 15.01.2022 - Report submitted by Arun S.,S.I. of police (Reg. No. KL-01-BA-3535)
(Marked through PW154)
- P426 - 15.01.2022 - Property List (TR. 154/2022)
(Marked through PW154)
- P427 - 15.01.2022 - Report submitted by Arun S.,S.I. of Police
(Marked through PW154)
- P428 - 05.03.2022 - Search List (Marked through PW154)
- P428(a) - 05.03.2022 - Delay Report submitted by Arun S., S.I. of police (Marked through PW154)
- P428(b) - 05.03.2022 - Report submitted by DySP
(Marked through PW156)
- P429 - 05.03.2022 - Diary- 2017 (ALFA ASSOCIATES)
(Marked through PW154)
- P430 - 03.02.2022 - Seizure Mahazar (Pendrive)
(Marked through PW154)
- P430(a) - 03.02.2022 - Report of Seizure Mahazar submitted by SI of Police, South Police Station Alappuzha
(Marked through PW154)
- P430(b) - 03.02.2022 - Report submitted by DySP
(Marked through PW156)
- P431 - 22.12.2021 - Proceedings of the District Police Chief (Order No. D1/81437/2021)
(Marked through PW156)
- P431(a) - 22.12.2021 - Report submitted by DySP
(Marked through PW156)

- P432 - 21.12.2021 - Proceedings of the District Police Chief
(Order No. D1/81437/2021)
(Marked through PW156)
- P432(a) - 22.12.2021 - Report submitted by DySP
(Marked through PW156)
- P433 - 25.02.2021 - FIR (Cherthala Police station)
(Marked through PW156)
- P434 - 25.02.2021 - Final Report of Cherthala police station
(No. 434/2021)(Marked through PW156)
- P435 - 10.03.2022 - Form No. 15 (Marked through PW 156)
- P436 - 19.12.2021 - FIR and FIS of Mannancherry police
station (Marked through PW156)
- P437 - 24.02.2022 - Form No. 15 (Marked through PW 156)
- P438 - 23.12.2021 - Report submitted by Arun S., S.I. of police
(Marked through PW154)
- P439 - 23.12.2021 - Report submitted by DySP
(Marked through PW156)
- P440 - 23.12.2021 - Report submitted by DySP
(By mistake again marked)
(Marked through PW156)
- P441 - 23.12.2021 - Property List (TR. 664/21)
(Marked through PW156)
- P442 - 26.12.2021 - 65B Certificate (Marked through PW156)
- P443 - 25.12.2021 - Property List (TR. 668/21)
(Marked through PW156)

- P444 - 26.12.2021 - Property List (TR. 667/21)
(Marked through PW156)
- P445 - 27.12.2021 - Property List (TR. 670/21)
(Marked through PW156)
- P446 - 29.12.2021 - Report of DySP (Marked through PW156)
- P447 - 28.12.2021 - Arrest Memo of A3 (Marked through PW156)
- P448 - 28.12.2021 - Inspection Memo of A3
(Marked through PW156)
- P449 - 28.12.2021 - Custody Memo of A3(Marked through PW156)
- P450 - 28.12.2021 - Arrest Notice of A3 (Marked through PW156)
- P451 - 28.12.2021 - Arrest Memo of A9 (Marked through PW156)
- P452 - 28.12.2021 - Inspection Memo of A9
(Marked through PW156)
- P453 - 28.12.2021 - Custody Memo of A9(Marked through PW156)
- P454 - 28.12.2021 - Arrest Notice of A9 (Marked through PW156)
- P455 - 29.12.2021 - Report of DySP (Marked through PW156)
- P456 - 29.12.2021 - Property List (TR. 673/21)
(Marked through PW156)
- P457 - 29.12.2021 - Form No. 15 (Marked through PW156)
- P458 - 29.12.2021 - Property List (TR. 672/21)
(Marked through PW156)
- P459 - 29.12.2021 - Property List (TR. 674/21)
(Marked through PW156)
- P460 - 30.12.2021 - Property List (TR. 5/22)
(Marked through PW156)
- P461 - 30.12.2021 - Form No. 15 (Marked through PW156)

- P462 - 01.02.2022 - Report submitted by DySP
(Marked through PW156)
- P462(a) - 01.02.2022 - Report of DySP (Marked through PW156)
- P463 - 02.02.2022 - Property List (TR. 61/2022)
(Marked through PW156)
- P464 - 02.02.2022 - Forwarding Note (Marked through PW156)
- P465 - 23.02.2022 - Cyber Forensic Analysis Report
(Kochi, Thripunithara)
(Marked through PW156)
- P465(a) - 23.02.2022 - Pendrive (Sandisk)
Annexure-1, DD. 74/2022
(Marked through PW156)
- P465(a)(a) -23.02.2022 - Image inside the Pendrive (P465(a))
(Marked through PW156)
- P466 - 30.12.2021 - Production warrant of A3 and A9
(Marked through PW156)
- P467 - 31.12.2021 - Custody application of A3 and A9
(Marked through PW156)
- P468 - 31.12.2021 - Order in CMP No. 3372/2021
(Marked through PW156)
- P469 - 08.01.2022 - Portion of 161 Statement (A9)
(Marked through PW156)
- P469(a) - 08.01.2022 - Report of DySP (Marked through PW156)
- P470 - 08.01.2022 - Portion of 161 Statement (A9)
(Marked through PW 156)
- P470(a) - 08.01.2022 - Report of DySP (Marked through PW 156)

- P471 - 08.01.2022 - Property List (TR. 36/2022)
(Marked through PW156)
- P472 - 31.12.2021 - Property List (TR. 14/2022)
(Marked through PW156)
- P473 - 08.01.2022 - Report of DySP (Marked through PW156)
- P474 - 01.01.2022 - Property List (TR. 7/2022)
(Marked through PW156)
- P475 - 01.01.2022 - Form-15 (Marked through PW156)
- P476 - 02.01.2022 - Report of DySP (Marked through PW156)
- P477 - 02.01.2022 - Form-15 (Marked through PW156)
- P478 - 02.01.2022 - Report of DySP (Marked through PW156)
- P479 - 02.01.2022 - Property List (TR. 4/2022)
(Marked through PW156)
- P480 - 02.01.2022 - Property List (TR. 9/2022)
(Marked through PW156)
- P481 - 02.01.2022 - Form-15(TR. 6/2022) (Property list of body
samples of A7 & A10)
(Marked through PW156)
- P482 - 01.01.2022 - Arrest Memo of A7
(Marked through PW156)
- P483 - 01.01.2022 - Custody Memo of A7
(Marked through PW156)
- P484 - 01.01.2022 - Inspection Memo of A7
(Marked through PW156)
- P485 - 02.01.2022 - Arrest Notice of A7
(Marked through PW156)

- P486 - 01.01.2022 - Arrest Memo of A10
(Marked through PW156)
- P487 - 01.01.2022 - Inspection Memo of A10
(Marked through PW156)
- P488 - 01.01.2022 - Custody Memo of A10
(Marked through PW156)
- P490 - 02.01.2022 - Property List (TR. 18/2022)
(Marked through PW 156)
- P491 - 02.01.2022 - Remand Report of Navas, Safarudheen and
Saifudheen (Marked through PW156)
- P492 - 03.01.2022 - Report of DySP (Marked through PW156)
- P493 - 03.01.2022 - Arrest Memo of A1 (Marked through PW156)
- P494 - 03.01.2022 - Custody Memo of A1 (Marked through PW156)
- P495 - 03.01.2022 - Inspection Memo of A1
(Marked through PW156)
- P496 - 03.01.2022 - Arrest Notice of A1 (Marked through PW156)
- P497 - 03.01.2022 - Arrest Memo of A6 (Marked through PW156)
- P498 - 03.01.2022 - Inspection Memo of A6
(Marked through PW156)
- P499 - 03.01.2022 - Custody Memo of A6 (Marked through PW156)
- P500 - 03.01.2022 - Arrest Notice of A6 (Marked through PW156)
- P501 - 04.01.2022 - Property List (TR. 23/2022)
(Marked through PW156)
- P502 - 04.02.2022 - Remand Report of A1 & A6
(Marked through PW156)
- P503 - 02.01.2022 - Form -15 (Marked through PW156)

- P504 - 05.01.2022 - Production Warrant Application of A7 & A10
(Marked through PW156)
- P505 - 05.01.2022 - Custody Application of A7 & A10
(Marked through PW156)
- P506 - 05.01.2022 - Order in CMP No. 24/2022
(Marked through PW156)
- P507 - 02.01.2022 - Portion of 161 Statement (Safarudheen)
(Marked through PW156)
- P507(a) - 02.01.2022 - Report of DySP (Marked through PW156)
- P508 - 08.01.2022 - Property List (TR. 26/2022)
(Marked through PW156)
- P509 - 14.01.2022 - Property List (TR. 41/2022)
(Marked through PW156)
- P510 - 14.01.2022 - Property List (TR. 40/2022)
(Marked through PW156)
- P511 - 07.01.2022 - Report of DySP
(Marked through PW156)
- P512 - 06.01.2022 - Arrest Memo of A2
(Marked through PW156)
- P513 - 06.01.2022 - Inspection Memo of A2
(Marked through PW156)
- P514 - 06.01.2022 - Custody Memo of A2
(Marked through PW156)
- P515 - 06.01.2022 - Arrest Notice of A2
(Marked through PW156)

- P516 - 06.01.2022 - Arrest Memo of A12
(Marked through PW156)
- P517 - 06.01.2022 - Inspection Memo of A12
(Marked through PW156)
- P518 - 06.01.2022 - Custody Memo of A12
(Marked through PW156)
- P519 - 06.01.2022 - Arrest Notice of A12
(Marked through PW156)
- P520 - 06.01.2022 - Property List (TR. 27/2022)
(Marked through PW156)
- P521 - 07.01.2022 - Property List (TR. 28/2022)
(Marked through PW156)
- P522 - 07.02.2022 - Form -15 (Marked through PW156)
- P523 - 07.01.2022 - Remand Report of A1& A12
(Marked through PW156)
- P524 - 07.01.2022 - Production Warrant of A1& A6
(Marked through PW156)
- P525 - 07.01.2022 - Custody Application of A1 & A6
(Marked through PW156)
- P526 - 07.01.2022 - Order in CMP No. 57/2022
(Marked through PW156)
- P527 - 07.01.2022 - Report of DySP
(Marked through PW156)
- P528 - 12.01.2022 - Property List (TR. 38/2022)
(Marked through PW156)

- P529 - 12.01.2022 - Property List (TR. 37/2022)
(Marked through PW156)
- P530 - 08.01.2022 - Report of DySP
(Marked through PW156)
- P531 - 07.01.2022 - Arrest Memo of A14
(Marked through PW156)
- P532 - 07.01.2022 - Inspection Memo of A14
(Marked through PW156)
- P533 - 07.01.2022 - Custody Memo of A14
(Marked through PW156)
- P534 - 07.01.2022 - Arrest Notice of A14
(Marked through PW156)
- P535 - 08.01.2022 - Remand Report of A14
(Marked through PW156)
- P536 - 12.01.2022 - Property List (TR. 39/2022)
(Marked through PW156)
- P537 - 11.01.2022 - Application of Production Warrant (A1 & A12)
(Marked through PW156)
- P538 - 11.01.2022 - Custody Application of A2 & A12
(Marked through PW156)
- P539 - 17.01.2022 - Property List (TR. 43/2022)
(Marked through PW156)
- P540 - 20.01.2022 - Property List (TR. 48/2022)
(Marked through PW156)
- P541 - 17.01.2022 - Report of DySP (Marked through PW156)

- P542 - 17.01.2022 - Arrest Memo of A15
(Marked through PW156)
- P543 - 17.01.2022 - Inspection Memo of A15
(Marked through PW156)
- P544 - 17.01.2022 - Custody Memo of A15
(Marked through PW156)
- P545 - 17.01.2022 - Arrest Notice of A15
(Marked through PW156)
- P546 - 17.01.2022 - Remand Report of A15
(Marked through PW156)
- P547 - 24.01.2022 - Report of DySP (Marked through PW156)
- P548 - 24.01.2022 - Arrest Memo of A13
(Marked through PW156)
- P549 - 24.01.2022 - Inspection Memo of A13
(Marked through PW156)
- P550 - 24.01.2022 - Custody Memo of A13
(Marked through PW156)
- P551 - 24.01.2022 - Arrest Notice of A13
(Marked through PW156)
- P552 - 25.01.2022 - Remand Report of A13
(Marked through PW156)
- P553 - 24.01.2022 - Section adding Report submitted by DySP
(Marked through PW156)
- P554 - 24.01.2022 - Application of Production Warrant
(Marked through PW156)

- P555 - 25.01.2022 - Property List (TR. 57/2022)
(Marked through PW156)
- P556 - 31.01.2022 - Report of DySP (Marked through PW 156)
- P557 - 31.01.2022 - Arrest Memo of A4
(Marked through PW156)
- P558 - 31.01.2022 - Inspection Memo of A4
(Marked through PW156)
- P559 - 31.01.2022 - Custody Memo of A4
(Marked through PW156)
- P560 - 31.01.2022 - Arrest Notice of A4
(Marked through PW156)
- P561 - 01.02.2022 - Remand Report of A4
(Marked through PW156)
- P562 - 01.02.2022 - Custody Application of A13
(Marked through PW156)
- P563 - 01.02.2022 - Order in CMP 182/2022
(Marked through PW156)
- P564 - 03.02.2022 - Application of Production Warrant (A4)
(Marked through PW156)
- P565 - 03.02.2022 - Custody Application of A4
(Marked through PW156)
- P566 - 03.02.2022 - Order in CMP 201/2022
(Marked through PW156)
- P567 - 04.02.2022 - Property List (TR. 79/2022)
(Marked through PW156)

- P568 - 12.02.2022 - Property List (TR. 97/2022)
(Marked through PW156)
- P569 - 07.02.2022 - Property List (TR. 90/2022)
(Marked through PW156)
- P570 - 07.01.2022 - Form -15 (Marked through PW156)
- P571 - 12.02.2022 - Form -15 (Marked through PW156)
- P572 - 23.02.2022 - (1) Chance print (2) Specimen form
(DA No. 22/DAS DF PB/2022/ALPY)
(Marked through PW156)
- P572(a) - 04.03.2022 - 65B Certificate (Marked through PW156)
- P573 - 16.02.2022 - Report of DySP (Marked through PW156)
- P574 - 16.02.2022 - Arrest Memo of A11 (Marked through PW156)
- P575 - 16.02.2022 - Inspection Memo of A11
(Marked through PW156)
- P576 - 16.02.2022 - Custody Memo of A11
(Marked through PW156)
- P577 - 16.02.2022 - Arrest Notice of A11
(Marked through PW156)
- P578 - 17.02.2022 - Remand Report of A11
(Marked through PW156)
- P579 - 21.02.2022 - Application of Production Warrant (A11)
(Marked through PW156)
- P580 - 22.02.2022 - Custody Application of A11
(Marked through PW156)
- P581 - 22.02.2022 - Order in CMP. 440/2022
(Marked through PW156)

- P582 - 24.02.2022 - Property List (TR. 117/2022)
(Marked through PW156)
- P583 - 01.03.2022 - Recovery Mahazar of Ash
(Marked through PW156)
- P583(a) - 01.03.2022 - Report of DySP (Marked through PW156)
- P583(b) - 01.03.2022 - Portion of 161 Statement (Sameer)
(Marked through PW156)
- P583(c) - 01.03.2022 - Report of DySP (Marked through PW156)
- P584 - 01.03.2022 - Property List (TR. 133/2022)
(Marked through PW156)
- P585 - 26.02.2022 - Property List (TR. 126/2022)
(Marked through PW156)
- P586 - 26.02.2022 - Form-15 (Marked through PW156)
- P587 - 16.02.2022 - Form-15 (Marked through PW156)
- P588 - 16.02.2022 - Form-15 (Marked through PW156)
- P589 - 16.02.2022 - Form-15 (Marked through PW156)
- P590 - 03.03.2022 - Form-15 (Marked through PW156)
- P591 - 22.02.2022 - Report of DySP (Marked through PW156)
- P592 - 22.02.2022 - Arrest Memo of A8 (Marked through PW156)
- P593 - 22.02.2022 - Inspection Memo of A8
(Marked through PW156)
- P594 - 22.02.2022 - Custody Memo of A8(Marked through PW156)
- P595 - 22.02.2022 - Arrest Notice of A8 (Marked through PW156)
- P596 - 23.02.2022 - Remand Report of A8
(Marked through PW156)
- P597 - 23.02.2022 - Form-15 (Marked through PW156)

- P598 - 23.02.2022 - Property List (TR. 116/2022)
(Marked through PW156)
- P599 - 24.02.2022 - Application of Production warrant (A8)
(Marked through PW156)
- P600 - 25.02.2022 - Custody Application of A8
(Marked through PW156)
- P601 - 25.02.2022 - Order in CMP 482/2022
(Marked through PW156)
- P602 - 02.03.2022 - Property List (TR. 123/2022)
(Marked through PW156)
- P603 - 03.03.2022 - Property List (TR. 131/2022)
(Marked through PW156)
- P604 - 02.03.2022 - Form-15 (Marked through PW156)
- P605 - 03.03.2022 - Arrest Memo of A5 (Marked through PW156)
- P606 - 03.03.2022 - Inspection Memo of A5
(Marked through PW156)
- P607 - 03.03.2022 - Custody Memo of A5 (Marked through PW156)
- P608 - 17.02.2022 - Remand Report of A5
(Marked through PW156)
- P609 - 04.03.2022 - Property List (TR. 132/2022)
(Marked through PW156)
- P610 - 05.03.2022 - Application of Production warrant (A5)
(Marked through PW156)
- P611 - 05.03.2022 - Custody Application of A5
(Marked through PW156)

- P612 - 05.03.2022 - Order in CMP. 552/2022
(Marked through PW156)
- P613 - 06.03.2022 - Property List (TR. 130/2022)
(Marked through PW156)
- P614 - 06.03.2022 - Form-15 (Marked through PW156)
- P615 - 05.03.2022 - Form-15 (Marked through PW156)
- P616 - 24.02.2022 - Form-15 (Marked through PW156)
- P617 - 28.02.2022 - Report of DySP (Marked through PW156)
- P617(a) - 28.02.2022 - Official Memorandum
(No. A.S.Cr. 897/2021, D No. 300/2022)
(Marked through PW156)
- P618 - 12.01.2022 - Application of Production Warrant
(Marked through PW156)
- P619 - 12.01.2022 - Order in CMP. 77/2022
(Marked through PW156)
- P620 - 11.01.2022 - Order in CMP. 75/2021
(Marked through PW156)
- P621 - 24.01.2022 - Order in CMP. 141/2022
(Marked through PW156)
- P622 - 01.02.2022 - Custody Application
(Marked through PW156)
- P623 - 01.01.2022 - Recovery Mahazar
(Marked through PW156)
- P623(a) - 01.01.2022 - Report of DySP (Marked through PW156)
- P624 - 03.01.2022 - Forwarding note (Marked through PW156)

| | | | | |
|---------|---|------------|---|--|
| P625 | - | 03.03.2022 | - | Forwarding note, Certificate and Covering letter (Marked through PW156) |
| P626 | - | 28.02.2022 | - | Covering letter and Forwarding note (Marked through PW156) |
| P627 | - | 07.03.2022 | - | Covering letter and Forwarding note (Marked through PW156) |
| P628 | - | 07.03.2022 | - | Covering letter, Forwarding note and Certificate (Marked through PW156) |
| P629 | - | 11.03.2022 | - | Covering letter, Forwarding note and Certificate (Marked through PW156) |
| P630 | - | 08.03.2022 | - | Covering letter and Forwarding note (Marked through PW156) |
| P631 | - | 07.03.2022 | - | Copy of letter (No. B1/878/2022/RFSL/EKM) (Marked through PW156) |
| P631(a) | - | 07.03.2022 | - | Image (Marked through PW156) |
| P632 | - | 04.03.2022 | - | Form-15 (Marked through PW156) |
| P633 | - | 14.03.2022 | - | Form-15 (Marked through PW156) |
| P634 | - | 12.01.2022 | - | Form-15 (Marked through PW156) |
| P635 | - | 27.12.2021 | - | Form-15 (Marked through PW 156) |
| P636 | - | 28.12.2021 | - | Form-15 (Marked through PW156) |
| P637 | - | 03.02.2022 | - | Form-15 (Marked through PW156) |
| P638 | - | 26.12.2021 | - | Form-15 (Marked through PW156) |
| P639 | - | 27.12.2021 | - | Form-15 (Marked through PW156) |
| P640 | - | 04.01.2022 | - | Form-15 (Marked through PW 156) |
| P641 | - | 25.12.2021 | - | Form-15 (Marked through PW156) |

- P642 - 03.03.2022 - Covering letter of Regional Transport Officer, Alappuzha (Reg. No. KL-04-J-0267)
(Marked through PW156)
- P643 - 26.02.2022 - Covering letter (Tahsildar, Ambalapuzha)
(dis-1914/2022/A3)
(Marked through PW156)
- P644 - 30.12.2021 - Report regarding Seizure Article
(Marked through PW156)
- P645 - 30.12.2021 - Report of Sub Inspector of Police, Mararikulam
(Marked through PW156)
- P646 - 30.12.2021 - Report regarding Seizure Article
(Marked through PW156)
- P647 - 26.02.2022 - Covering letter of Regional Transport Officer, Alappuzha (No. C1/1156/2022/A)
(Marked through PW156)
- P648 - 10.03.2022 - Antimortom photos (6 sheets-14 Photos)
(Series) (Marked through PW156)
- P649 - 10.03.2022 - Form-15 (Marked through PW156)
- P650 - 25.02.2022 - Possession Certificate (Village Officer, Komalapuram) (Marked through PW156)
- P651 - 30.08.2022 - Covering Letter, FSL Report, and Customer's feed back form
(Marked through PW156)
- P652 - 25.08.2022 - Covering Letter from Department of Forensic Medicine (Marked through PW156)

- P652(a) - 15.07.2022 - Certificate of Chemical Analysis
(Marked through PW156)
- P652(b) - 15.07.2022 - Certificate of Chemical Analysis
(Marked through PW156)
- P653 - 31.10.2022 - State Forensic Science Laboratory
Police Department Examination Report
(BIO/770/2022/B1-840/FSL/2022)
(Marked through PW156)
- P654 - 31.10.2022 - State Forensic Science Laboratory
Police Department Examination Report
(DNA- 373/2022/B1-840/FSL/2022)
(Marked through PW156)
- P654(a) - 05.10.2022 - Covering letter of FSL Report
(No. B1-840/FSL/2022)
(Marked through PW156)
- P655 - 12.12.2022 - Requisition form of forwarding digital
evidence to Forensic Science Laboratory
(Marked through PW156)
- P655(a) - 12.01.2023 - Property List (Marked through PW156)
- P655(b) - 12.01.2023 - Property List (Marked through PW156)
- P656 - 23.03.2023 - RFSL Examination Report
(Report No. DD-91/2023)
(Marked through PW156)
- P657 - 10.03.2022 - Property List (TR. 153/2022)
(Marked through PW156)

- P658 - 03.02.2022 - Property List (TR. 94/2022)
(Marked through PW156)
- P659 - 06.01.2022 - Property List (TR. 27/2022)
(By mistake again marked)
(Marked through PW156)
- P660 - 31.01.2022 - Application of Production Warrant
(Marked through PW156)
- P661 - 03.03.2022 - Report of DySP (Marked through PW156)
- P662 - 11.03.2022 - Section Adding Report of DySP
(Marked through PW156)
- P663 - 11.03.2022 - Report of DySP (Marked through PW156)
- P664 - 18.03.2022 - Report of DySP (Marked through PW156)
- P665 - 02.02.2022 - Order No. D3 708/2022
(Marked through PW156)
- P666 - 24.01.2022 - Official Memorandum
Test Identification parade of Accused
(No. D3-563/2022) (Marked through PW156)
- P667 - 11.01.2022 - Order No. D3 278/2022
(Marked through PW156)
- P668 - 16.01.2022 - Custody Application of A1 and A6
(Marked through PW156)
- P669 - 19.01.2022 - Custody Application of A2 and A12
(Marked through PW156)
- P670 - 09.01.2022 - Custody Application of A3 and A9
(Marked through PW156)

- P671 - 12.02.2022 - Custody Application of A4
(Marked through PW156)
- P672 - 08.03.2022 - Custody Application of A5
(Marked through PW156)
- P673 - 03.03.2022 - Custody Application of A11
(Marked through PW156)
- P674 - 14.01.2022 - Custody Application of A10 and A7
(Marked through PW156)
- P675 - 06.02.2022 - Custody Application of A13
(Marked through PW156)
- P676 - 16.01.2022 - Custody Application of A12 and Nahas
(Marked through PW156)
- P677 - 07.01.2022 - Certificate of collection of material objects from
the body of a person for chemical examination
(ML/MO/8/FMA/2022)
(Marked through PW156)
- P678 - 07.01.2022 - Certificate of collection of material objects from
the body of a person for chemical examination
(ML/MO/9/FMA/2022)
(Marked through PW 156)
- P679 - 04.01.2022 - Certificate of collection of material objects from
the body of a person for chemical examination
(ML/MO/7/FMA/2022)
(Marked through PW156)

- P680 - 04.01.2022 - Certificate of collection of material objects from the body of a person for chemical examination (ML/MO/6/FMA/2022) (Marked through PW156)
- P681 - 06.03.2022 - Certificate of collection of material objects from the body of a person for chemical examination (ML/MO/2/FMA/2022) (Marked through PW156)
- P682 - 29.12.2021 - Collection of evidence (Marked through PW156)
- P682(a) - 29.12.2021 - Sample seal impressions (Marked through PW156)
- P683 - 12.01.2022 - Collection of evidence (Marked through PW156)
- P683(a) - 12.01.2022 - Sample seal impressions (Marked through PW156)
- P684 - 02.01.2022 - Collection of evidence (Marked through PW156)
- P684(a) - 02.01.2022 - Sample seal impressions (Marked through PW156)
- P685 - 01.01.2022 - Certificate of collection of material objects from the body of a person for chemical examination (ML/MO/3/FMA/2022) (Marked through PW156)

- P686 - 01.01.2022 - Certificate of collection of material objects from the body of a person for chemical examination (ML/MO/2/FMA/2022)
(Marked through PW156)
- P687 - 02.01.2022 - Certificate of collection of material objects from the body of a person for chemical examination (ML/MO/4/FMA/2022)
(Marked through PW156)
- P688 - 02.01.2022 - Certificate of collection of material objects from the body of a person for chemical examination (ML/MO/5/FMA/2022)
(Marked through PW156)
- P689 - 07.02.2022 - Certificate of collection of material objects from the body of a person for chemical examination (ML/MO/12/FMA/2022)
(Marked through PW156)
- P690 - 26.02.2022 - Collection of evidence
(Marked through PW156)
- P690(a) - 26.02.2022 - Sample seal impressions
(Marked through PW156)
- P691 - 19.12.2021 - Collection of evidence
(Marked through PW156)
- P691(a) - 19.12.2021 - Sample seal impressions
(Marked through PW156)
- P692 - 20.12.2021 - Material objects collected (PM No. 938/2021)
(Marked through PW156)

- P693 - 21.12.2021 - Collection of evidence
(Marked through PW156)
- P693(a) - 21.12.2021 - Sample seal impressions
(Marked through PW156)
- P694 - 23.02.2022 - Certificate of collection of material objects from
the body of a person for chemical examination
(ML/MO/15/FMA/2022)
(Marked through PW156)
- P695 - 23.02.2022 - Certificate of collection of material objects from
the body of a person for chemical examination
(ML/MO/14/FMA/2022)
(Marked through PW156)
- P696 - 17.01.2022 - Property list (TR. 46/2022)
(Marked through PW156)
- P697 - 11.03.2022 - Form-15 (Marked through PW156)

Material Objects Marked and Dates of Production in Committal Court:

- MO1 - 12.01.2022 - Hammer (TR. 37/22 Sl.No.7)
(Marked through PW1)
- MO2 - 12.01.2022 - Sword (TR. 38/22 Sl. No.1)
(Marked through PW1)
- MO3 - 12.01.2022 - Big sword-stick (*Koduval*)
(TR. 38/22 Sl. No.2)
(Marked through PW1)
- MO4 - 14.01.2022 - Small sword-stick (*Koduval*)
(TR. 41/22 Sl. No.1)
(Marked through PW1)

- MO5 - 04.02.2022 - Two Hatchets (One in TR. 79/22 Sl. No.1 and
(2 Series) another one in TR. 132/2022 SL.No. 1)
(Marked through PW1)
- MO6 - 02.03.2022 - Sword (Big size) (TR.123/22 Sl. No.1)
(Marked through PW1)
- MO7 - 20.01.2022 - Two sword (One in TR. 46/2022 Sl. No.1 and
(2 Series) another one in TR. 57/2022 Sl.No. 1)
(Marked through PW1)
- MO7(a) - 20.01.2022 - Sword (Marked through PW 54)
- MO8 - 24.02.2022 - Kairali TMT Rode (TR. 117/2022. Sl.No.1)
(Marked through PW1)
- MO9 - 14.01.2022 - Two swords with metal handle
(2 Series) (One in TR. 41/2022 Sl.No. 2 and another one
in TR. 48/2022 Sl. No.1)
(Marked through PW1)
- MO9(a) - 14.01.2022 - One Small Sword (Marked through PW58)
- MO9(b) - 14.01.2022 - Big Sword (Marked through PW66)
- MO10 - 02.01.2022 - Green shirt, dhothi, and two chappals
(TR.18/22 Sl. No. 1,2,3)
(Marked through PW1)
- MO11 - 17.01.2022 - Black Jeans (TR. 46/22 Sl. No. 2)
(Marked through PW1)
- MO12 - 31.12.2021 - Black belt and pair of canvas shoes
(TR.14/22 Sl. No.1) (Marked through PW1)
- MO13 - 12.02.2022 - Belt (TR No. 97/2022 Sl.No.1)
(Marked through PW1)

- MO14 - 12.01.2022 - Tracksuit and Pant (TR. 37/2022- Sl. No. 6)
(Marked through PW1)
- MO15 - 14.01.2022 - Light blue pant, chappal and red shirt
(TR. No. 40/22 Sl.No. 1 & 2)
(Marked through PW1)
- MO16 - 24.02.2022 - Blue pant (TR.No. 117/22 Sl. No. 2)
(Marked through PW1)
- MO17 - 17.01.2022 - Red shirt and black pant
(TR No. 46/2022 Sl. No. 3)
(Marked through PW1)
- MO18 - 20.12.2021 - Blood stained white dhoti and baniyan
(TR No. 656/21 Sl. Nos. 7 &9)
(Marked through PW1)
- MO19 - 20.12.2021 - Shawl, bed sheet and nighty (TR No. 656/21
Sl.No. 5,6 & 8) (Marked through PW1)
- MO20 - 19.12.2021 - Pieces of broken glass and pieces of Teapoy
(Series)
(TR. No. 653/2021 Sl. No. 1)
(Marked through PW1)
- MO21 - 19.12.2021 - Broken glass pieces (TR No. 653/2021
Sl.No. 2) (Marked through PW1)
- MO22 - 19.12.2021 - Broken glass pieces and head light of the car
(TR. No. 654/21 Sl. No. 1)
(Marked through PW1)
- MO23 - 19.12.2021 - Windshield glass pieces of car
(TR. No. 654/21 Sl. No. 2)
(Marked through PW1)

- MO24 - 17.04.2023 - Maruti Alto car (Reg. No. KL- 04- AP- 1965)
(Marked through PW1)
- MO25 - 17.04.2023 - Bike (Reg. No.KL- 04- AK- 6879)
(Marked through PW1)
- MO26 - 26.04.2023 - Bajaj CT 100 (Reg. No. KL-04- AQ- 9098)
(Marked through PW6)
- MO27 - 26.04.2023 - TVS Radeon black in colour
(Reg. No. KL- 04- AR-4990)
(Marked through PW6)
- MO28 - 26.04.2023 - Black Splendor Bike (Reg. No. KL-04 -AD-2341)
(Marked through PW6)
- MO29 - 26.04.2023 - Black Platinum (Reg. No. KL-04- AR- 5285)
(Marked through PW6)
- MO30 - 26.04.2023 - Activa 5G (Reg. No. KL -04 -AM- 7048)
(Marked through PW6)
- MO31 - 26.04.2023 - Black Activa 4G (Reg. No. KL -04 -AK- 7167)
(Marked through PW6)
- MO32 - 30.12.2021 - KL-04- AK- 3146 Number plate (TR. 5/22)
(Marked through PW53)
- MO33 - 30.12.2021 - Two T-shirts (green and red Colour)
(2 Series) (TR. 5/22) (Marked through PW53)
- MO34 - 08.01.2022 - Mobile Phone (TR. 26/22)
(Marked through PW57)
- MO35 - 08.01.2022 - Ash in plastic cover (TR. 36/22)
(Marked through PW63)

- MO36(Series)-17.01.2022 - Flag - red, green and white in colour
(2 in No.) (TR. 43/22) (Marked through PW67)
- MO37 - 29.12.2021 - Physical Education Guide (TR. 672/2021)
(Marked through PW95)
- MO38 - 12.01.2022 - Rexin seat cover (TR. 37/2022)
(Marked through PW95)
- MO39 - 26.02.2022 - Rexin sheet (TR. 126/2022)
(Marked through PW95)
- MO40 - 30.12.2021 - OPPO Mobile (TR. 13/22)
(Marked through PW113)
- MO41 - 03.03.2022 - Ash packet (Marked through PW137)
- MO42 - 20.12.2021 - Band Aid (Marked through PW146)
- MO43 - 20.12.2021 - Tag (P6) (Marked through PW146)
- MO44 - 20.12.2021 - Tag (P7) (Marked through PW146)
- MO45 - 30.12.2021 - Item 4 - Imitation chain (TR.1/22)
(Marked through PW152)
- MO46 - 30.12.2021 - Item 5 - Gold covering chain (TR. 1/22)
(Marked through PW152)
- MO47 - 30.12.2021 - Item 6 - Four flags with the print 'SDPI'
(TR. 1/22) (Marked through PW152)
- MO48 - 30.12.2021 - Item 7 - Two flags of green, red and white
colours with blue star (TR.1/22)
(Marked through PW152)
- MO49 - 30.12.2021 - Item 8- CD with the marking 'Popular Front
Day' (TR. 1/22) (Marked through PW152)

- MO50 - 30.12.2021 - Item 9- Micromax keypad mobile phone
(TR. 1/22) (Marked through PW152)
- MO51 - 30.12.2021 - Item 10- Index keypad mobile phone
(TR.1/22) (Marked through PW152)
- MO52 - 30.12.2021 - Item 11- Smartphone red and black colour
(TR.1/22) (Marked through PW152)
- MO53 - 30.12.2021 - Item 12- 4 Iron rod (Length 51 cm)
(TR. 1/22) (Marked through PW152)
- MO54 - 30.12.2021 - Item 13- steel rod (Length 56 cm)
(TR.1/22) (Marked through PW152)
- MO55 - 30.12.2021 - Item 14- Iron knife (TR.1/22)
(Marked through PW152)
- MO56 - 30.12.2021 - Item 16- Brown colour lanyard (TR.1/22)
(Marked through PW152)
- MO57 - 30.12.2021 - Item 17 - Black coloured Web belt
(TR.1/22) (Marked through PW152)
- MO58 - 30.12.2021 - Item 18 - Black coloured hat (TR.1/22)
(Marked through PW152)
- MO59 - 30.12.2021 - Item 1 - Samsung Smartphone (TR.11/22)
(Marked through PW152)
- MO60 - 30.12.2021 - Item 2 - Index Smartphone (TR.11/22)
(Marked through PW152)

- MO61 - 30.12.2021 - Item 3 -A sword with an iron handle
(TR.11/22)(Marked through PW152)
- MO62 - 30.12.2021 - Item 1- Micromax Smartphone(Battery- Nil)
(TR.12/22) (Marked through PW152)
- MO63 - 30.12.2021 - Item 2- Two flags with green, red and white
colours (TR.12/22) (Marked through PW152)
- MO64 - 30.12.2021 - Item 1 - Laptop black in colour (TR.1/22)
(Marked through PW152)
- MO65 - 30.12.2021 - Item 2 - Laptop charger (TR.1/22)
(Marked through PW152)
- MO66 - 30.12.2021 - Item 3 -Airtel My Wi-Fi connector (TR.1/22)
(Marked through PW152)
- MO67 - 30.12.2021 - Item 5 - Pendrive connector (TOUCH)
(TR.1/22)(Marked through PW152)
- MO68 - 30.12.2021 - Item 7- Vodafone sim card (TR.1/22)
(Marked through PW152)
- MO69 - 30.12.2021 - Item 8 - Black Web belt (TR.1/22)
(Marked through PW152)
- MO70 - 30.12.2021 - Item 9 - Lanyard maroon colour (TR. 1/22)
(Marked through PW152)
- MO71 - 30.12.2021 - Item 10- T-shirt with print 'SDPI volunteer'
(TR.1/22) (Marked through PW152)

- MO72 - 30.12.2021 - Item 12- Iron sickle (TR.1/22)
(Marked through PW152)
- MO73 - 30.12.2021 - Item 11- Hollow iron pipe (TR. 1/22)
(Marked through PW152)
- MO74 - 30.12.2021 - Item 6 -K GOLD Micro Adapter (TR. 1/22)
(Marked through PW152)
- MO75 - 23.12.2021 - Item 1 - Projector (TR. 664/21)
(Marked through PW154)
- MO76 - 23.12.2021 - Item 4- Three-Pin socket and cable
(TR. 664/21) (Marked through PW154)
- MO77 - 23.12.2021 - Item 5- Flex with print 'SDPI'
(TR. 664/21) (Marked through PW154)
- MO78 - 23.12.2021 - Item 3- cable with sockets on both sides
(TR. 664/21)
(Marked through PW154)
- MO79 - 23.12.2021 - Item-2 Projector cable (TR. 664/21)
(Marked through PW154)
- MO80 - 29.12.2021 - Item 3- Realme Mobile (TR. 21/22)
(Marked through PW154)
- MO81 - 29.12.2021 - Item 1-Airtel sim card (TR. 21/22)
(Marked through PW154)
- MO82 - 29.12.2021 - Item 2- sim card(Openup GSM)(TR.21/22)
(Marked through PW154)

- MO83 - 03.01.2022 - Item 1- Jio mobile phone(black in colour)
(TR. 32/22) (Marked through PW154)
- MO84 - 03.01.2022 - Item 2 - Nokia mobile phone (white and
black in colour) (TR. 32/22)
(Marked through PW154)
- MO85 - 03.01.2022 - Item 3 -Hammer (TR. 32/22)
(Marked through PW154)
- MO86 - 03.01.2022 - Item 4 - Hammer (broken handle) (TR. 32/22)
(Marked through PW154)
- MO87 - 03.01.2022 - Item 5- KL-04-AD-2341 number plate
(TR. 32/22)(Marked through PW154)
- MO88 - 26.04.2023 - Innova car (Reg. No. KL-BA-3535)
(Marked through PW154)
- MO89 - 06.01.2022 - Item 2- Belt with pouch (TR. 27/22)
(Marked through PW156)
- MO90 - 12.01.2022 - One cover ash packet(D-1) (TR. 39/22)
(Marked through PW156)
- MO91 - 01.03.2022 - One cover ash packet(D-2) (TR.133/22)
(Marked through PW156)
- MO92 - 03.03.2022 - One cover ash packet (D-3) (TR.131/22)
(Marked through PW156)
- MO93 - 03.03.2022 - One cover ash packet (D-4) (TR.131/22)
(Marked through PW156)

- MO94 - 21.12.2021 - S10 to S17 packets (TR. 665/21)
(Marked through PW156)
- MO95 - 19.12.2021 - S1, S2, S4,S5 and S6 packets (TR. 657/21)
(Marked through PW156)
- MO96 - 29.12.2021 - S25 to S32 packets (TR. 673/21)
(Marked through PW156)
- MO97 - 19.12.2021 - S3 packet (TR. 657/21)
(Marked through PW156)
- MO98 - 02.01.2022 - Two packets (TR. 6/22)
(Marked through PW156)
- MO99 - 06.03.2022 - Body hair of Abdul Kalam @ Salam
(TR. 130/22)(Marked through PW156)
- MO100 - 01.01.2022 - Two packets (TR. 7/22)
(Marked through PW156)
- MO101 - 07.02.2022 - One packet body hair of A4 (TR. 90/22)
(Marked through PW156)
- MO102 - 23.02.2022 - Item 1 & 2- sealed packets
(TR.116/22) (Marked through PW156)
- MO103 - 07.01.2022 - Item 1- sealed bottle (TR.28/22)
(Marked through PW156)
- MO104 - 23.02.2022 - Two packets (TR. 116/22)
(Marked through PW156)

- MO105 - 01.01.2022 - Two sealed bottle (TR. 7/22)
(Marked through PW156)
- MO106 - 04.01.2022 - Two sealed bottle (TR. 23/22)
(Marked through PW156)
- MO107 - 07.01.2022 - Item 2- sealed bottle (TR. 28/22)
(Marked through PW 156)
- MO108 - 12.01.2022 - 3 packets (68,69 & 71) (TR. 37/22)
(Marked through PW156)
- MO109 - 02.01.2022 - Item 1 to 4- 4 packets (TR. 9/22)
(Marked through PW156)
- MO111 - 21.12.2021 - KL-04-AR-4990 number plate (TR. 661/21)
(Marked through PW156)
- MO112 - 17.01.2022 - DNA sample of skeleton muscle and
bone marrow of Renjith Sreenivasan-3 packets
(Marked through PW156)

Exhibits Marked for Defence

- D1 - 12.01.2022 - Subject proof of 161 statement (CW84)
(Relevant portion of 161 statement)
- D2 - 19.12.2021 - Subject proof of 161 statement (CW29)
(Relevant portion of 161 statement)
- D3 - 08.01.2022 - Statement recorded by Magistrate
(Accused A14)

**Id/-
Additional Sessions Judge-I**

