

IN THE COURT OF III ADDL. DISTRICT AND SESSIONS JUDGE,  
RANGA REDDY DISTRICT AT L.B.NAGAR

*Present: Sri D. Hemanth Kumar,  
III Additional District & Sessions Judge,  
Ranga Reddy District.*

Wednesday, on this the 14th day of December, 2016

S.C. No. 306 of 2013

BETWEEN:

1. Name of the complainant : The State of Telangana through  
K.P.H.B., Police Station
2. Name of the Accused
  1. M. Radha hari Seshu, S/o. Laksmi Narsimha Murthy, 35 years, Software Engineer, R/o. Flat No. 1502, Block No.1, panchavati Apartments, Pragathinagar, KPHB Colony, Kukatpally, N/o. H.No. 1-7-1228, Advocates Colony, Hanamkonda, Warangal District.
  2. Smt. M. Sridevi, W/o. MLN Murthy, Age 55 years, Advocat Notary/Legal Advisor, R/o. 1-7-1228, Advocate Colony, Hanamkonda, Warangal District.
  3. M.L.N.Murthy, S/o. Late M.Seshagiri Rao, Age 62 years, Rtd. MRO, R/o. 1-7-128, Advocates Colony, Hhanamkonda, Warangal District.

(Case against Accused Nos. 2 and 3 is discharged vide Order, Dt. 14/05/2014 in Crl. M. P. No. 82/2014 on the file of this Court)
3. Offence under sections : 304-B, 498 (A) of IPC
4. Cr. No. and Name of P.S : 964/2011; K.P.H.B Police Station
5. P.R.C. No. : 48 of 2012
6. Plea of the accused : Not guilty
7. Finding of the Court : Found guilty
8. Sentence of Order : *In the result, Accused No. 1 is convicted under section 235 (2) of Cr. P.C. for the offence under sections 304-B and 498-A of IPC. Accused No. 1 is directed to suffer imprisonment for life and also*

*directed to pay fine amount of Rs. 5,000/- (Rupees Five Thousand Only) and in default to suffer simple imprisonment for a period of six (06) months for the offence under section 304-B of IPC. Accused No. 1 is directed to suffer Rigorous Imprisonment for a period of three years and also directed to pay fine amount of Rs. 3,000/- (Rupees Three Thousand Only) and in default to suffer simple imprisonment for a period of three (03) months for the offence under section 498-A of IPC. It is directed that both the sentences shall run concurrently. The remand period if any undergone by the Accused is ordered to be set off under section 428 Cr. P.C. MO1 Saree is ordered to be destroyed after expiry of appeal time. The interim order giving interim custody of MO2 gold chain to PW1 vide Order, Dt. 16/11/2015 in CrI. M. P. No. 399/2015 is ordered to be made absolute after expiry of appeal. Time*

9. Prosecution conducted by : Sri N. Ravinder, Additional Public Prosecutor for the State.
10. Defence conducted by : B. Rajavardhan Reddy, Advocate for the Accused
11. Case committed by : XIX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur.

*This case coming on 25-11-2016 2016 before me for final hearing in the presence of Sri N. Ravinder, Additional Public Prosecutor for the State and Sri Rajavardhan Reddy, Counsel for the Accused; and upon perusal of the material papers on record and having stood over for consideration till this day, this court delivered the following:*

### **J U D G M E N T**

The Additional DCP Officer on Special Duty, Kukatpally Division filed

charge sheet against Accused Nos. 1 to 3 for the offence under sections 304-B and 498-A of IPC in Cr. No. 964/2011 of KPHB Police Station.

2. The prosecution version is that on 07-12-2011 at 1500 hours the defacto complainant (V. Ram Mohan Rao LW1) lodged a report at KPHB police station alleging that on 13-2-2005, he performed the marriage of his elder daughter Smt. Deepthi with Accused No. 1 M. Radha Hari Seshu, who is a Software Engineer and native of Warangal District and resident of Panchavathi Apartments, Pragathi Nagar, KPHB Colony by giving dowry of Rs. 1.5 lakhs, 3 thulas gold, 1 kg silver, house hold articles etc.. The Accused No. 1 has been harassing his daughter both physically and mentally for additional Dowry of Rs. 2 lakhs ever since from the date of marriage. They were blessed with two sons in their marital life. His daughter disclosed about the said harassment and they persuaded her to get along with her life. On 07-12-2011 around 1120 hours, the mother in law of his daughter informed over telephone that his daughter was not well and they shifted her to a nearby hospital for treatment on which he along with his wife rushed to his daughter's place and found her lying dead in the parking place of her apartment and her in laws stated that she committed suicide by hanging. However, on the same day at about 1000 hours they came to know through his daughter's friend by name Smt. Pratyusha that his daughter was harassed both physically and mentally for additional dowry. It is further averred in the report that his daughter informed him over telephone that her husband forcibly obtained a suicidal note from her 3 days back and as there were injuries on the body of his daughter he suspects that his son in law might have killed her. As such, he requested legal action in the matter.

3. Based on the above contents of the report, G. Baswa Reddy (LW15 Inspector of Police, KPHB Police Station) registered the same a case in Cr. No. 964 of 2011 under section 498(A), 304(B) & 302 IPC, examined the witnesses,

preserved the scene, sent a requisition to Sri P. Sanjeeva Rao (LW13 Deputy Collector cum Tahsildar, Balanagar Mandal) to conduct inquest over the dead body of deceased. Thereupon Sri P.V. Padmaja (LW17 Additional DCP) took up investigation, rushed to the spot, observed the scene and drafted the scene of offence panchanama and rough sketch in the presence of Sri D. Jawahar Babu and Sri M. Gautam Rao (LWs 10 and 11) and seized the incriminating material i.e., saree used by deceased in committing suicide. As per requisition, P. Sanjeeva Rao (LW13 Dy. Collector cum Tahsildar, Balanagar Mandal) visited the scene and held inquest over the corpse of the deceased in the presence of mediators M. Gautam Rao and Smt. L. Geeta (LWs 11 and 12). Subsequently the body was subjected to Postmortem Examination by a team of medical officers of Forensic Medicine, Gandhi Medical College, Secunderabad at the mortuary of Gandhi hospital, Secunderabad. Dr. T. Vikramaditya (LW14 Assistant Professor, Department of Forensic Medicine, Gandhi Medical College) held autopsy on the corpse of the deceased, preserved viscera, reserved final opinion pending for want of FSL report and issued the PME Report opining about cause of death of deceased was "due to asphyxia due to hanging" and also clarified on specific questionnaire that the death of the deceased is "suicidal hanging". P. Sanjeeva Rao (LW13 Dy. Collector cum Tahsildar, Balanagar Mandal) stated that cause of death of deceased was due to "No poisoning substance was found in the chemical analysis. So the cause of death is due to Asphyxia due to hanging".

4. Accused No. 1 was arrested on 14-12-2011 and Accused Nos. 2 and 3 obtained anticipatory bail . The investigation agency verified with M. Srinivas Rao (LW16 Inspector of Police, Cyber Crime Cyberabad) about genuineness and IP address of the email, dt. 07-12-2011 at 7.00 am consists of text message sent by victim from her user ID [deepthi.mulugu@gmail.com](mailto:deepthi.mulugu@gmail.com) to the user ID of her friend Smt. P. Prathyusha (LW3) [prathyuani@gmail.com](mailto:prathyuani@gmail.com). M. Srinivasa Rao

(LW16) ascertained the required information from Google Inc, USA and BSNL and forwarded the same through official email ID stating that as per the information furnished by Google inc. the above message is generated from I.P. No. 117.195.164.30 on 07-12-011 at 07.07 hours and BSNL Officials furnished the above IP address as :1502, Block I, Pragathinagar, Panchavati Apartments, Sy. No. 175, Kukatpally. After completion of investigation, charge sheet is filed against Accused Nos. 1 to 3 for the offence under sections 304-B and 498-A of IPC.

5. The learned XIX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur took cognizance of the case against Accused Nos. 1 to 3 for the offence under Section 304 (B) and 498-A of IPC and assigned PRC No. 48 of 2012. As the case is within the jurisdiction of Sessions Court, it is committed to the court of Sessions, Metropolitan Sessions Judge, Cyberabad after adopting the procedure as laid down under Section 209 Cr.P.C., and registered the same as a case against Accused vide S.C. No. 306 of 2013 for the offence under Section 304 (B) and 498-A of IPC and made over to this court for trial and disposal in accordance with law.

6. On appearance of the accused before this court, on hearing the learned Additional Public Prosecutor and the counsel for the accused, the accused were examined under Section 228 of Cr.P.C and framed charge for the offence under Sections 304 (B) IPC against the accused read over and explained the same to the accused in his vernacular language for which he pleaded not guilty and claimed to be tried. During the pendency of trial, Accused Nos. 2 and 3 filed petition under section 227 of Cr. P.C. vide CrI. M. P. No. 82/2014 to discharge them. This Court was pleased to discharge Accused Nos. 2 and 3 vide Order, Dt. 14/05/2014. Hence, this case is being proceeded against Accused No. 1 only.

7. The prosecution in order to establish the guilt of the accused for the offence with which they are charged, has examined PWs 1 to 14 and Exs. P1 to P14 were marked. The prosecution has given up three (03) witnesses i.e., P. Anil Kumar, S. Sekhar, Smt. G. Leela (LWs 4, 7 and 12). Thereafter prosecution side evidence is closed.

8. After completion of the trial, the Accused No. 1 was examined under Section 313 Cr.P.C., by explaining the incriminating evidence spelt over against him, for which he denied the incriminating evidence put to him and reported no defence evidence on his behalf. However, during the cross-examination of prosecutions witnesses Exs. D1 to D8 are marked.

9. Heard arguments of both sides and perused the record.

10. Now the point for consideration is whether the Accused No. 1 has committed offence punishable under sections 304 (B) and 498-A of IPC as contended by the prosecution agency?

11. **POINT:** In order to prove the about said offence against Accused No. 1, the prosecution has to establish the following ingredients of sections 498-A and 306 of IPC:

**Ingredients of section 498-A of IPC:**

- i) A woman was married
- ii) she was subjected to cruelty
- iii) such cruelty consisted of
  - a) any conduct as was likely to drive such woman to commit suicide or to cause grave injury or danger to her life, limb or health-mental or physical
  - b) harm of such woman with a view to coercing her to meet unlawful demand for property or valuable security or on account of

failure of such woman or any other of her relation to meet the unlawful demands.

**Ingredients for the offence U/s.304-B of IPC:**

- I) The Death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances.*
- II) Such death must have been occurred within seven years from the date of her marriage.*
- III) Soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for additional dowry.*

12. On perusal of section 304-B of IPC, a question arises whether a person has committed the offence of a dowry death of a woman what is necessary is that it should be shown that soon before her unnatural death, which took place within seven years of the marriage, the deceased had been subjected to cruelty or harassment for or in connection with the demand of dowry. If that is shown, the court shall presume that such a person has caused the dowry death. It is imperative for invoking the legal presumption to prove that soon before her death she was subjected to such cruelty or harassment. Where the prosecution achieved in proving at the most that there was persisting dispute between the two sides regarding the dowry paid or to be paid, both in kind and in cash and on account of the failure to meet the demand for dowry, the wife was taken by her parents to their house about one and a half years before her death, an attempt was made to patch up between the two sides for which a panchayath was held in which it was resolved that she would go back to the nuptial home pursuant to which she was taken by the husband to his house and there was nothing on record to show that she was either treated with cruelty or harassed with the demand for dowry during the last ten to fifteen days during the period between her having been taken to the parental home and her tragic end, the

conviction under section 304-B cannot be maintained. The expression soon before would normally imply that the interval should not be much between the concerned cruelty or harassment and the death in question. There must be existence of a proximate and live link between the effect of cruelty based on dowry demand and the concerned death. If the alleged incident of cruelty is remote in time and has become stale enough not to disturb mental equilibrium of the woman concerned, it would be of no consequence.

13. As seen from the record, the marriage of Accused No. 1 with the victim was performed on 13/02/2005 and the victim died on 07/12/2011. So, the death of victim occurred within 7 years of her marriage. Furthermore, the death of the victim is not natural one that too in the house of Accused No. 1. the version of prosecution is that the victim has she committed suicide by hanging on account of constant vexation and ill treatment meted out by her in the hands of Accused Nos. 1 to 3 (husband and in laws) for additional dowry. Accused No. 1 married the victim on 13/02/2005 with a dowry of Rs. 1.5 lakhs, 3 tholas gold, 1 kg silver, house hold articles. Accused No. 1 was working for M/s. Polaris Company, Chennai and took the victim and stayed there for four months. In the meanwhile the father of the victim i.e., defacto complainant went to USA and during such period Accused No. 1 instigated by Accused Nos. 2 and 3 (mother and father of Accused No. 1 respectively) subjected the victim to physical and mental harassment for additional dowry. Subsequently Accused No. 1 switched over to M/s. Satyam Computers and shifted to Hyderabad in a rented a flat at Nizampet. The victim was blessed with first child and three months thereafter Accused No. 1 went to USA on company's visit and before going to USA he shifted all the furniture and household articles to his native place. Later the victim joined Accused No. 1 at USA, wherein Accused No. 1 used to consume liquor with his friends and forced the victim to consume liquor for which she

refused. The Accused No. 1 used to beat her often without any reason and on that victim returned to India in February, 2008 by threatening her husband that she will complain to American Police about his harassment. Accused No. 1 after availing loan purchased a flat at Panchavati Apartments, Pragathi Nagar in the year 2007. The victim was blessed with second child in the month of May, 2008. When the victim suffered ill health Accused No. 1 started neglecting her and apart from that he started demanding additional dowry of Rs. 4 lakhs from her parents. The defacto complainant i.e., father of victim performed the marriage of his second daughter on 03-11-2011, wherein Accused No. 1 insulted the victim in the marriage and Accused Nos. 2 and 3 left the marriage in a huff that defacto complainant gave more dowry to his second daughter's marriage. Accused No. 1 continued to harass the victim for additional dowry, as such the victim disclosed the same to her parents and her friend Smt. Prathyusha, who provided treatment to the victim as per her request at the nearby hospital on 05/12/2011. The victim also sent an email on 07/12/2011 to Smt. Prathyusha about physical torture of her husband (Accused No. 1). On 07/12/2011 around 9.00 AM victim after dropping the children at their school returned home and Accused No. 1, who was present in the house picked up a quarrel with her and beat her physically. On that the victim went into the southern bed room and bolted the door from inside and committed suicide by hanging to ceiling fan with a saree. With the help of watchman Accused No. 1 tried to open the bed room but in vain and on that Accused No. 1 rushed to the top floor and brought the hammer which was with a tiles worker by name S. Sekhar (LW7), broke open the bed room door and found her hanging.

14. The first and foremost witness produced by the prosecution is none other than defacto complainant i.e., father of the victim as PW1. He mainly deposed that he performed the marriage of his elder daughter Deepti with Accused No. 1

on 13/02/2005 at Hanmakonda, Sumangali Function Hall at 9.00 AM and though Accused demanded Rs. 5 lakhs, they paid Rs. 1,50,000/- along with silver articles and thulas of gold and household articles at the time of marriage. PW1 further deposed that Accused No. 1 started harassing the victim by saying that she brought less dowry and if Accused No. 1 would have married any other woman, he would have been given more dowry. PW1 further deposed that Accused No. 1 did not allow the family members of victim to take the victim to their house for delivery and at the time of cradle ceremony Accused No. 1 demanded one thula of gold, one web cam and money for clothes and they satisfied all the demands of Accused and inspite of that Accused did not take victim to their house for a period of three months. PW1 further deposed that even after going to America Accused No. 1 started harassing the victim and he used to bring his friends to their house and consume liquor and also forced the victim to consume liquor by saying that it is the culture in America. PW1 further deposed that when second son of Accused No. 1 was suffering from jaundice, there was no response from accused and all the medical expenditure was out born by him. PW1 further deposed that Accused No. 1 converted to Christian religion and started insisting the victim to convert to Christianity and restricted her to perform pujas and once his daughter informed him that Accused No. 1 harassed her and also squeezed her neck and when the same was informed to his parents, they stated that victim has to obey order of Accused No. 1. PW1 deposed that in the year 2011 in the housewarming function of his son at Bandlguda Accused No. 1 abused victim and also demanded the victim to bring Rs. 4 lakhs as he has to pay the same towards apartment loan. On the eve of Satyanarayana Swamy Vratam Accused No. 1 abused the victim and thereafter Accused increased his harassment by demanding the victim to bring atleast Rs. 2 lakhs. PW1 further deposed that on 30/11/2011 the victim wept and informed him that Accused No. 1 was harassing and requested to arrange Rs. 2 lakhs and on 06-12-2011 the victim informed him

that Accused No. 1 made her to prepare suicide note about two days prior to that day and if she fails to pay the amount, he is going to harm her. His daughter further informed him that Accused No. 1 would come home by drinking liquor and Accused No. 1 may abuse them and thereby asked him to go away. On the next day at 11.20 PM they received phone call from Accused No. 2 that she is calling from Warangal and informed that as his daughter in law (victim) was unwell, they joined her in Pupils Hospital, Kukatpally and by the time they reached the house of Accused, the body of his daughter was laid under the tent. PW1 further deposed that he found a ligature mark on the neck of his daughter and as Accused No. 1 was alone in the house at that time, he is suspecting hand of Accused No. 1 behind the death of deceased.

15. PW2 is none other than the mother of the victim and she also deposed in similar lines with that of PW1. The learned counsel for the Accused on the other hand to refute the version of PWs 1 and 2 has cross examined them at length. It is elicited that in Ex. P1 complaint he mentioned that he has given three thulas of gold to accused at the time of marriage. The learned counsel for the Accused wants to impress upon the court that there is a variation and improvement in the version of PW1. But the fact remains is that whether gold was given by family of victim to the accused at the time of marriage and it is irrelevant aspect to consider the quantum of gold given. It is elicited from PW1 that he did not raise any panchayath before the elders to pacify the disputes between the Accused and victim. PW1 admitted that the family of the accused are distant relatives to him, as such he might have felt that the disputes between Accused No. 1 and victim will be solved without holding any panchayath before elders. Furthermore, it is borne out from the record that they have advised victim to adjust with her husband. So it is to be considered that mere not holding panchayath before the elders or relatives, it cannot be presumed that there are no disputes in between

them. In normal course of human conduct, the parents used to settle the disputes among the inner circle or the family and they do not want to publicize the disputes. In the cross-examination PW1 deposed that Accused filed OP for custody of children. From this it is clear that there were disputes between the victim and Accused No. 1 as such he filed petition for custody of children. The evidence of PWs 1 and 2 is very much clear in holding that due to the harassment of Accused only, the victim committed suicide by hanging and there are no other reasons for the victim to commit suicide. It was elicited from PW2 that she did not inform to the Police that accused tried to throttle the neck of the deceased. PW1 pleaded ignorance as to whether he stated to Police that accused demanded one thula gold and one web camera at the time of cradle ceremony of his grandson. The incident in this case occurred on 07/12/2011 at 11.20 and the report was lodged on the same day at 3.00 PM. The statement of PW2 was recorded by Police on the same day. PW2 who is the mother of victim will most probably in a shock and mental trauma she may not be able to describe each and every incident of harassment. Hence, the evidence of PWs 1 and 2 can be considered as reliable and trustworthy to find the Accused guilty of the offence. However, this Court has to see whether there is any corroboration from the other prosecution witnesses to this effect.

16. PW3 is the friend of victim and she deposed that the marriage of her friend (victim)/graduate classmate and her marriage was performed with Accused No. 1 in the year 2005 and in Facebook chatting Deepthi informed her that at US in the weekends Accused No. 1 used to celebrate parties with his friends in the house and also forced Deepthi to consume liquor and Deepthi also informed her that she was scared to live in US with Accused No. 1. PW3 further deposed that Accused No. 1 used to neglect his children, wife and the house and that though Accused No. 1 is a Brahmin he believes in Christianity and as such Accused No. 1

restricted Deepthi in doing poojas in the house and did not allow her to go to temples. PW3 further deposed that when the victim Deepthi took a new two wheeler to temple for performing pooja and returned home, Accused No. 1 beat her and forced her to wash and clean the two wheeler with water. PW3 further deposed that during the marriage of Deepthi's sister there were several disputes between Accused No. 1 and Deepthi and Accused No. 1 beat the victim by pressurizing her to bring Rs. 2 lakhs to clear the house loan as parents of victim are having money with them. PW3 deposed that Deepthi informed her that she is unable to bear the torture in the hands of Accused and when Deepthi informed her father about the alleged demand of Rs. 2 lakhs, her father informed that he will adjust the amount within 10 days but inspite of that accused did not change their attitude. PW3 deposed that Deepthi spoke to her mother in law that though Accused No. 1 undergone surgery for removal of implants in the leg, she adjusted for it and rendered services to Accused No. 1 but she is unable to bear that everyday Accused No. 1 abusing her parents and beating her. PW3 further deposed that Accused No. 1 increased his harassment and used to beat Deepthi regularly by saying that she uttered Accused No. 1 as "Kuntoda" and one day prior to death of Deepthi though she is not doing well and suffering from viral fever, Accused No. 1 did not take her to hospital and on that Deepthi called her and wept. PW3 further deposed that Deepthi informed that Accused No. 1 made her to write a suicidal note about four or five days prior to the incident and when PW3 questioned her Deepthi informed that why she would commit suicide as she is having two children. On the same day in the evening at 6.00 Pm or 7.0 PM Deepthi came to house of PW3 and informed that when she expressed her wish to go to her parents, her mother in law replied that if Deepthi goes to her house she will not return back house again. On the next day morning at 8.00 Am she received phone call from Deepthi and she started weeping saying that Accused No. 1 beat her on the previous night and stopped hurriedly saying that she will

call again. About 10.00 Am or 10.30 Am she received phone call from father of Deepthi that Deepthi was unwell and she was admitted in Hospital and when PW3 went to Pupils Hospital, at the entrance Accused No. 1 waved his hand by saying that Deepthi "Ayipoyindi" "Vellipo". PW3 further deposed that as Accused No. 1 were not cooperating to shift the body of victim to his house, PW3 with the help of her husband and apartment people took the body of victim in Maruthi Van to the house of Accused. PW3 further deposed that Accused No. 1 forced the victim to undergo four abortions and on the next day she received a mail from Deepthi stating that Accused No. 1 beat her severely as a result of it, she suffered ear pain and she scared as to what is going to happen.

17. It is elicited from the cross-examination of PW3 that she stated to the Police that Deepthi (victim) came to her house and told her that she will agree that she is at fault, if the accused agrees to look after her properly and she told her that she will accept for it. On careful perusal of this statement, it is clear that victim is ready to accept that she is at fault only, if Accused looks after her properly, which shows that Accused is not taking care of the victim properly. This very suggestion given by the Accused No. 1 shows that Accused No. 1 harassing her.

18. The evidence of PW3 is crystal clear and she is not only a friend of victim but also neighbour, as such her evidence need not be looked with any suspicion, moreover it is vivid and unambiguous. Hence, the evidence of PW3 can be considered as trustworthy as her evidence is corroborating the evidence of PWs 1 and 2 on crucial material aspects with regard to ill treatment and harassments of victim physically and mentally even by demanding additional dowry.

19. PW4 is the circumstantial witness and he deposed that on 7-12-2011 on information from his father that the daughter of PW1 was unwell, he proceeded

to Panchavati Apartments and found the dead body of Deepthi in cellar. He found an Injury on the right side of the cheek of deceased and on inquiry he came to know that Deepthi committed suicide by hanging herself with chunni to the ceiling fan. He came to know that Accused No. 1 used to beat the deceased for additional dowry and on the previous night there was quarrel in between them. In the cross-examination it was suggested to this witness that he is deposing false due to the friendship between his father and father of the deceased. But the fact to be noted is that the evidence of PW4 is only a hearsay evidence, which is not admissible in evidence. However, the evidence of Pw4 is corroborating the evidence of PWs 1 to 3. Hence, there is no need to look the evidence of PW4 with grate suspicion.

20. PW5 is the watchman of the apartment in which the victim and Accused No. 1 are residing. He deposed that he being watchman of Panchavati Apartments, know deceased Deepthi in Flat No. 502 and on that day Accused No. 1 went to him and asked to come to his flat by saying that his wife is not opening the bedroom doors, as such they broke open the doors and found the deceased was hanging to fan. Deepthi hanged herself with a saree to the fan and she was declared as brought dead. PW5 is the first person to see the dead body of the victim along with Accused No. 1 after break opening of the door. This witness was not cross examined much except on the aspect of victim's daily schedule. Therefore, the evidence of PW5 need not be looked with suspicion. Furthermore, his evidence is clear, specific and unambiguous to arrive to the conclusion that Accused No. 1 was present in the flat at the relevant point of time.

21. PW6 is the builder of the apartment in which the victim committed suicide and he deposed that PW5 went to his flat on 07-12-2011 informing that Deepthi resident of 502 committed suicide and by the time he reached the place of offence, he found the dead body of the victim laid on the ground. Even this

witness was not cross examined much except on the aspect of visiting of the house by the parents of the victim and used. Therefore, the evidence of PW6 need not be looked with suspicion.

22. PW7 is the distant relative to family of the victim and he deposed that when PW1 came to his house to give wedding card of his second daughter, PW1 received phone call from Accused No. 1 and PW1 assured that he will give gold ornaments to his daughter after the marriage. PW7 further deposed that at the time of rituals in the marriage, Accused No. 1 along with his parents left the marriage and with great difficulty PW1 convinced Accused No. 1 and made them to stay in the marriage during that period. PW7 further deposed that victim asked Accused No. 1 as to how is her dress and on that Accused No. 1 replied that she was looking like a vesya (prostitute) then he came to know that there are differences between Accused No. 1 and deceased. PW7 further deposed that on his enquiry victim informed him that Accused No. 1 used to torture in the same way even in America and also used to force her to smoke and drink and that family of the victim is an orthodox family and Accused No. 1 did not allow her to offer prayers to Hindu deities and insisted her to pray to Jesus. PW7 is the person to whom the victim revealed the harassment meted out by her in the hands of Accused when the victim went to his house to give wedding card of her sister's marriage. Though the learned counsel for the Accused No. 1 cross examined this witness, nothing was elicited to show that Accused is not responsible for the death of victim. Therefore, the evidence of PW7 also need not be looked with suspicion. It also corroborates with the evidence of PWs 1 and 2 with regard to the ill treatment and harassment meted out by the victim in the hands of Accused No. 1.

23. PW8 is one of the panch witnesses to the scene of offence and rough sketch under Exs. P3 and P4 respectively and he deposed that he happened to

visit the apartment of Accused No. 1 after coming to know about the death of his wife. The police prepared the scene of offence panchanama, drew rough sketch and obtained his signatures. PW8 is an independent witness, as such there is no enmity between PW8 and accused No. 1 to depose falsehood against Accused No. 1. Hence, the evidence of PW8 can be considered as trustworthy. Moreover, the scope and ambit of the evidence is to the extent of preparation of scene of offence and rough sketch and these two aspects are even established after considering the relevant documents in Exs. P3 and P4.

24. PW9 is the other panch witness for the scene of offence, rough sketch and inquest panchanama and he deposed that he has seen Accused No. 1 at the time of offence and he went to the Police Station. The Police conducted inquest panchanama in his presence and obtained his signature. In the cross-examination it is elicited that PW1 is his brother-in-law. The evidence of PW9 is also free from ambiguity, as such his evidence can be considered trustworthy.

25. PW10 is the Assistant Professor who conducted postmortem examination on the body of the victim and he deposed that on 08-12-2011 on receipt of requisition from Inspector of Police, KPHB Police Station he conducted postmortem examination over the dead body of Deepthi from 10.10 Am to 11.10 AM, found one injury and opined that the cause of death is due to asphyxia due to hanging. In the cross-examination it is elicited that ligature mark indicates that it is a suicidal case. PW10 is the official independent witness, as such he has no necessity to depose against the Accused No. 1 and his evidence is only to reveal the reason of death the victim. Ex. P6 is the Postmortem Examination Report issued by PW10. Hence, the evidence of PW10 is trustworthy to the extent to prove that the victim died due to asphyxia due to hanging.

26. PW11 is the Deputy collector cum Tahasildar and he conducted inquest

on the dead body of victim and he deposed that he conducted inquest over the dead body of Deepthi and found the body of deceased laid on the ground in the parking place of apartment. The panchas opined that the deceased committed suicided by hanging herself to the saree by locking the doors from inside, as Accused No. 1 was harassing her by abusing and beating her to bring additional dowry. In the cross-examination it is elicited that PW11 has not recorded the statements of the inquest panchas though he is expected to record their statements. It is also elicited that PW11 did not obtain signatures of any person and Ex. P8 does not disclose his official seal and office seal. In support of the same the learned counsel for the Accused filed a memo along with the copy showing the Police Standing Orders vide Order No. 496 (1) of The A.P. Police Manual, Part - I, Volume - II, wherein it is mentioned that "*in all cases inquest held by Magistrates, the executive magistrate will prepare statements of witnesses and enquiry report. This becomes a part of the record in a trial. In such cases there will be two sets of statements from the witnesses, one by the magistrate and another by the Police during the course of investigation. Since both the statements will be supplied to the accused, any discrepancy in the version will go to the benefit of the accused.*" But in the case on hand there is no dispute with regard to the death of the victim and nature of death as it is clearly evident from the evidence of PW10, wherein PW10 stated that the victim died due to asphyxia due to hanging as per Ex. P8. The Accused No. 1 is also not disputing the said aspect. Hence, the contention of learned defence counsel about non following of procedural aspects while conducting inquest, though a irregularity committed by PW10 is not at all fatal to the prosecution case. Furthermore, that standing order is not mandatory and it is illustrative guidelines to discharge the duties.

27. PW12 is the first Investigation Officer and he deposed that on 07-12-2011

at 03-00 P.M. on receipt of a complaint from PW1, he registered a case in Crime No. 964 of 2011 u/s. 498-A and 304-B and 302 of IPC and recorded statement of PW1. He conducted scene of offence panchanama and drew rough sketch in the presence of PW8 and M. Gautam Rao (LW11). This witness was cross examined on the aspect of variation in the evidence of PW1 when compared to 161 Cr. P.C. Statement. The offence took place on 07/12/2011 and the statement of PW1 was also recorded on the same day. Due to the sudden demise of their daughter PWs 1 and 2 being parents of the deceased would be in great mental trauma and depression, out of which they might not be expected to narrate all about the exact harassment meted out by their daughter in the hands of Accused. Hence, the cross-examination of PW12 on the aspect of minor variations in the evidence of PWs 1 and 2 cannot be considered. It is not out of place to mention that there is every possibility of discrepancies or minute and meticulous cross-examination by the learned defence counsel. The litmus test is whether those discrepancies are going into the root of the matter or not is the crucial aspect to be considered. Evidently the points urged by the learned counsel are not at all fatal as such much prominence cannot be given.

28. PW13 is second Investigation Officer and he mainly deposed that on 13-01-2012 he received a letter from OSD, Kukatpally Division, Cyberabad to furnish the log in and log out details of [prathuyavuni@gmail.com](mailto:prathuyavuni@gmail.com) and based on which on 23-01-2012 they sent a letter to Google.in with a request to furnish login and logout details from 1st December, 2011 to 8th December, 2011. They received a mail from Google on 26-03-2012 with I.P. No. 117.195.164.30. In the cross-examination it is elicited that when they asked to furnish IP details from 1st December, 2011 to 10th December, 2011, in Ex. D6 Google people informed that they were unable to furnish the IP details for the period from 1st December, 2012 to 8th December, 2012. But the fact remains is that PW3 furnished soft copy of

email received from the victim, in which she clearly stated that Accused No. 1 beat her severely on the ground that she called him as "kuntoda". Ex. P2 is the soft copy of email sent by the victim to PW3, wherein she stated that Accused No. 1 beat her severely as a result of it, she suffered with ear pain and she is scared as to what is going to happen to her. To disprove the same PWs 1 and 2 were cross examined by suggesting that there was no Internet in their house at Warangal or at Hyderabad but PWs 1 and 2 categorically deposed that they have Internet facility at the house at Warangal as well as at Hyderabad. It is suggested to PW1 that with the help of password of deceased, the Internet email was opened and that email filed in the court is fabricated by PW1. The Accused is taking inconsistent pleas because at one point of time he says that Ex. P2 is fabricated by PW1 and on the other hand says that it was fabricated by PW3.

29. PW14 deposed that on 07/12/2011 on receipt of FIR, she visited scene of offence at Panchavati Apartments, Pragathinagar, Kukatpally, examined PW1 and recorded the statements of PWs 2 to 6 at the scene of offence and on 14/12/2011 Accused No. 1 was apprehended at his house. On 10/01/2012 she received a PME Report and sent requisition to the Medical officer to know whether the death was homicidal or suicidal. On 12-01-2012 on receipt of opinion of doctor that the death is suicidal by hanging, PW14 addressed a letter to ACP, Cyber Crime to know the mails sent by deceased to one Prathusha to know the address and IP of login and logout details. PW14 further deposed that on 07/04/2012 she received final opinion of PME from PW10 and on 13/04/2012 she received letter from Inspector, Cyber Crimes and also received Ex. P9 Report in respect of IP address of the deceased. On 05/03/2012 on completion of investigation he filed charge sheet.

30. One of the contentions of the learned counsel for the Accused is that victim demanded Accused to purchase diamond necklace for her during the

marriage and accused asked the parents of the victim to convince the victim and when the parents of the victim asked the victim as to why she raised dispute, the victim went into depression and committed suicide. Merely giving suggestions and assertions will not be sufficient to prove the contentions and to prove those contentions, the Accused has to place sufficient and reasonable as well as convincing evidence either oral or documentary. The accused in order to escape from the clutches of prosecution, shifting the onus on to the parents of the victim as if the victim committed suicide as she was admonished by her parents. It is suggested to PW1 that the victim used to threaten Accused No. 1 that she will commit suicide whenever she quarrels with her husband. Even if the said suggestion is accepted for the sake of arguments as true and correct for a moment, it can be inferred that there were frequent disputes between Accused No. 1 and victim, which compelled the victim to suicide. If really the victim has threatened the Accused No. 1 on the pretext of committing suicide, what prevented Accused to initiate suitable steps to avoid such threatening. Accused No. 1 is at liberty to conduct a panchayath or he could have informed the same to his well wishers or caste elders. But the Accused has not made any such attempts. Furthermore, the very document filed on behalf of Accused i.e., Ex. D1 reveals that Police have handed over 40 thulas of gold to PW1 which includes the jewellery purchased by Accused and the jewellery given by the parents of the victim to Accused at the time of marriage. When there is sufficient amount of jewellery with the victim by the date of her death, why she would insist the Accused No. 1 to purchase a gold necklace and on such refusal she committed suicide is not properly explained by defence. PW7 further deposed in chief examination that on the date of marriage of sister of the victim, the victim asked Accused No. 1 as to how is her dress and on that Accused No. 1 replied that she was looking like a vesya (prostitute). Admittedly Accused No. 1 has not purchased any gold necklace even as on the date of

marriage sister of victim. If really the victim was demanding gold necklace for her sisters marriage, she could have been under bad mood for not purchasing gold necklace but she was normal and asked Accused No. 1 as to how she is looking in that attire. If really the victim has demanded diamond necklace and when Accused failed to purchase the same, naturally she is not supposed to be happy, but she was in a good mood. Hence, the contention of the learned counsel for the Accused No. 1 holds no water.

31. The Accused No. 1 relied on Exs. D2 to D5 to show that he and victim are living happily but as rightly submitted by learned Additional Public Prosecutor in his reply arguments those, those photographs are pertaining to the period May, 2009 and subsequent year and whereas the offence took place in the month of December, 2011. So, those photographs are pertaining to the relevant period of time when the fragrance of marriage wandering in between Accused No. 1 and Victim. Hence, those photographs cannot come to the rescue of Accused No. 1 at this juncture. It is not out of place to once again remind that they were blessed with two children during the wedlock period. Even as per the version of the parents of the victim that they have continuously asked the victim to live with Accused No. 1 though the victim complained against Accused No. 1 to have harmony in their family.

32. Another interesting aspect to be considered is that the learned counsel for the accused cross examined PWs 1 to 3 on the aspect that deceased used to call accused No. 1 as "Kuntoda". PW3 at one point of time deposed that Accused No. 1 increased his harassment and used to beat Deepthi regularly by saying that she uttered Accused No. 1 as "Kuntoda". But it is not suggested to PW3 that Accused No. 1 has not beaten the victim as she called him as "Kuntoda". Apart from that it is the contention of Accused No. 1 that brother of deceased by name Revanth has created the email ID for the purpose of this

case and on the other hand it is also the version of the Accused that by hacking the password of victim PW3 herself has sent the e-mail to her account projecting as if victim has sent mail to PW3. But the Accused No. 1 has not made any efforts to examine the said Revanth to prove his contentions and furthermore, the accused No. 1 is taking indifferent pleas from time to time.

33. The learned counsel for the Accused relied on an authority reported in 2009 Lawsuits (SC) 1395 between Arulvelu Vs. State Rep. by the Public prosecutor, wherein it is held by their Lordship that

*“There is no credible evidence to suggest that soon before the death, the deceased has been subjected to cruelty or harassment by the accused in connection with any demand of dowry which led to a serious act of committing suicide.*

*The High Court failed to consider that the marriage took place in the year 1983 and the deceased committed suicide in the year 1989 i.e., after more than six years of the marriage. There are two small children out of the wedlock. It is quite improbable that ordinarily there would be consistent demand of dowry after six years. The fact of consistent demands is not established from clear evidence of the prosecution.”*

34. In the case on hand as per Ex. P2 the Accused No. 1 beat the victim indiscriminately and on the next day the victim committed suicide. Furthermore, the harassment of Accused No. 1 includes not taking the victim to their house after delivery of children and beating the victim indiscriminately, expressing his dissatisfaction that victim brought less dowry, commenting that the victim is looking like a prostitute, not taking the victim to the hospital when she is suffering from ill health, not taking care of children when they are

suffering from jaundice etc. But in the above case their Lordship opined that the victim might have committed suicide due to the decision of Panchayath coupled with the condition of illness. In the instant case on hand the victim is neither suffering from ill health nor there was any panchayath held between the parties to pacify the disputes. Therefore, with due respects to their Lordships the above authority is not applicable to the present facts of the case.

35. It is the contention of the learned counsel for the Accused that there are discrepancies in the evidence of prosecution witnesses and in order to refute the said contention, the learned Additional Public Prosecutor has relied on an authority reported in 2015 2 East Cr. C. (SC) 36 between State of Karnataka Vs. Smt. Suvarnamma and another, wherein it was held by their Lordships that

*“Overmuch importance cannot be attached to minor discrepancies. The reasons are obvious:*

*“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. Ordinarily it happens that a witness is overtaken by events. The witness could not have anticipated the occurrence which so often has an element of surprised. The mental faculties therefore cannot be expected to be attuned to absorb the details. 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. 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 support of the conversation. It is unrealistic to expect a witness to be human tape-recorder. 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 very precise or reliable estimates in such matters. Again it depends on the time-sense of individuals which varies from person to person. Ordinarily a witness cannot be expected to recall accurately the sequence of events which takes place in rapid succession or in a short time span. A witness is liable to get confused, or*

*mixed up when interrogated later on. A witness, though wholly truthful, is liable to be overawed by the Court atmosphere and the piercing cross-examination made by the counsel and out of nervousness mix up facts, get confused regarding sequence of events, or fill up the details from imagination on the spur of the moment. The sub-conscious 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 occurrence witnessed by him, - perhaps it is a sort of a psychological defence mechanism activated on the spur of the moment."*

36. It was also held in the above said authority that

*"The Court dealing with a criminal trial is to perform the task of ascertaining the truth from the material before it. It has to punish the guilty and protect the innocent. Burden of proof is on the prosecution and the prosecution has to establish its case beyond reasonable doubt. Much weight cannot be given to minor discrepancies which are bound to occur on account of difference in perception, loss of memory and other invariable factors. In the absence of direct evidence, the circumstantial evidence can be the basis of conviction if the circumstances are of conclusive nature and rule out all reasonable probabilities of accused being innocent. Once the prosecution probabalizes the involvement of the accused but the accused takes a false plea, such false plea can be taken as an additional circumstance against the Accused. Though Article 20 (3) of the Constitution incorporates the rule against self incrimination, the scope and the content of the said rule does not require the court to ignore the conduct of the accused in not correctly disclosing the fact within his knowledge. When the accused takes a false plea about the facts exclusively known to him, such circumstance is a vital additional circumstance against the Accused."*

37. The learned counsel for the Accused contended that there are no eyewitnesses to the incident and to deny the said contention the learned Additional Public prosecutor relied upon an authority reported in (2016) 10 SCC 681 between Trumukh Maroti Kirkan Vs. State of Maharashtra, wherein it is held that

*"The demand for dowry or money from the parents of the bride has*

*shown a phenomenal increase in the last few years. Cases are frequently coming before the Courts, where the husband or in laws have gone to the extent of killing the bride if the demand is not met. These crimes are generally committed in complete secrecy inside the house and it becomes very difficult for the prosecution to lead the evidence. No member of the family, even if he is a witness of the crime, would come forward to depose against another family member. The neighbours, whose evidence may be of some assistance, are generally reluctant to depose in court as they want to keep aloof and do not want to antagonize a neighbouring family."*

38. Another contention of the Accused is that since the death of victim occurred within 6 years 10 months after the marriage, the presumption of dowry death cannot be presumed so vigorously. On the other hand the learned Additional Public Prosecutor contended that there is no force for reducing the vigour of presumption, which acts with equal force till completion of entire period of 7 years from the date of marriage. This Court is in agreement with the argument of learned Additional Public Prosecutor.

39. It is time and again dealt by the Apex Court what tantamounts cruelty, ill-treatment and also harassment either physical or mental. Even the Apex Court in a citation reported in (2009) 10 Supreme Court Cases 604 in between Bhaskar Lal Sharma & Another Vs. Monica, dealt the aspect of cruelty as hereunder:

*"The term "cruelty", which has been made punishable under section 498-A IPC, has been defined in the Explanation appended to the said section, to mean: any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health, whether mental or physical or the woman; or (ii) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand*

*for any property or valuable security or is on account of failure by her or any person related to her to meet such demand. Therefore, the consequences of "cruelty", which are either likely to drive a woman to commit suicide or to cause grave injury, danger to life, limb or health, whether mental or physical of the woman or the harassment of a woman, where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand are required to be established in order to bring home an offence under section 498-A IPC."*

As seen from the above authority of the Hon'ble Apex Court, in the case on hand the prosecution has proved the ingredients of section 498-A of IPC. Hence, the evidence of prosecution is sufficient and reasonable to hold that the Accused No.1 has committed the offence. The evidence of prosecution witnesses is also corroborating with each other.

40. To attract the provisions of section 304-B of IPC, one of the main ingredients of the offence which is required to be established is that "soon before her death" she was subjected to cruelty or harassment "for, or in connection with demand for dowry." The expression "soon before her death" used in section 304-B IPC and section 113 B of the Evidence Act is present with the idea of proximity test. Though the language used is "soon before her death", no definite period has been enacted and the expression "Soon before here death" has not been defined in both the enactments. Accordingly the determination of the period which can come within the term "soon before her death" is to be determined by the courts, depending upon the facts and circumstances of each case. However, the said expression would normally imply that the interval should not be much between the cruelty or harassment concerned and the death in question. Therefore, the offence under section 304-

B is also proved against the Accused No. 1.

41. Considering the totality of facts and circumstances, this Court is constrained to observe that in all aspects the prosecution has succeeded to bring home the guilt of Accused No. 1 beyond any shadow of doubt that he and he only responsible for the suicidal death of Deepthi. Therefore, this point is answered against Accused No. 1.

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RANGAREDDY DISTRICT

**QUESTIONED WITH REGARD TO QUANTUM OF SENTENCE**

42. As the offence against Accused No. 1 is proved for the offence under sections 498-A and 304-B of IPC and he is found guilty for the same, before awarding sentence, the Accused is questioned whether he intend to submit anything with regard to quantum of sentence. For which Accused at the first instance represented that there is nothing to say, however, he further submitted that he has not committed any offence much less the said offence. The learned counsel for the Accused also submitted that there is no earlier criminal history and sought the Court to take a lenient view in awarding sentence.

43. After considering the submissions put forth by the Accused No. 1 as well as learned counsel for the Accused with regard to the quantum of sentence, this court left with no option except to look into the totality of the facts and circumstances as the offence is grave in nature, so that this Court cannot invoke provisions under section 360 of Cr.P.C. as well as section 4 of Probation of Offenders Act. At the same time this Court reappraised the available evidence coupled with the oral and documentary evidence, undoubtedly the

offence with which the Accused No. 1 is charged and established are severe in nature. This court is unable to consider that the offences committed by the Accused do not come within the purview of rarest of the rare offences, so that the severe punishment cannot be awarded. As such the accused should be punished with life imprisonment as it will serve the ends of justice. Accordingly the point is answered in favour of prosecution and against Accused.

44. *In the result, Accused No. 1 is convicted under section 235 (2) of Cr. P.C. for the offence under sections 304-B and 498-A of IPC. Accused No. 1 is directed to suffer imprisonment for life and also directed to pay fine amount of Rs. 5,000/- (Rupees Five Thousand Only) and in default to suffer simple imprisonment for a period of six (06) months for the offence under section 304-B of IPC. Accused No. 1 is directed to suffer Rigorous Imprisonment for a period of three years and also directed to pay fine amount of Rs. 3,000/- (Rupees Three Thousand Only) and in default to suffer simple imprisonment for a period of three (03) months for the offence under section 498-A of IPC. It is directed that both the sentences shall run concurrently. The remand period if any undergone by the Accused is ordered to be set off under section 428 Cr. P.C. MO1 Saree is ordered to be destroyed after expiry of appeal time. The interim order giving interim custody of MO2 gold chain to PW1 vide Order, Dt. 16/11/2015 in Crl. M. P. No. 399/2015 is ordered to be made absolute after expiry of appeal. Time.*

*Typed to my dictation by the personal assistant, corrected and pronounced by me in the open court on this the 14<sup>th</sup> day of December, 2016.*

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::APPENDIX OF EVIDENCE::  
EVIDENCE ON BEHALF OF PROSECUTION

Prosecution Witness	PW Name	Exhibits	MOs
PW-1	V. Ram Mohan Rao, (Father of victim)	Ex.P1: Report. Ex.D1: is the receipt given by PW1 from the Police to the effect of receiving gold ornaments, Exs. D2 to D5 are the photographs, Ex. D6 is the email correspondence between Cyber Crimes Office and Google	
PW-2	V. Saritha Devi (Mother of victim)		
PW-3	P. Prathyusha (friend of victim)	Ex.P2: Soft copy of email sent by the victim to PW3 .	
PW-4	V. Sagar Reddy (Family friend of victim)	Ex.P3: Scene of offence panchanama, Ex. P4: Rough Sketch.	MO1 is Saree, MO2 is gold chain with dollar
PW-5	P. Satyanarayana (Watchman for scene of offence flat)	Ex.P5 Inquest panchanama.	-
PW-6	G. Venkata Ramana Kumar (Builder of scene of offence flat)	Ex.P6: PME Report, Ex. P7: Final Opinion.	-
PW-7	R. Rajendra Prasad (Circumstantial witness)	-	-
PW-8	D. Jawahar Babu (Panch witness for scene of offence and seizure panchanama)	-	-
PW-9	M. Gautam Rao (Panch witness for scene of offence and seizure panchanama)	-	-
PW-10	Dr. T. Vikramaditya (Assistant Professor who held autopsy on deceased)	-	-
PW-11	P. Sanjeeva Rao, (Dy. Collector who held inquest)	-	-
PW-12	G. Baswa Reddy (First Investigation Officer)	-	-
PW-13	M. Srinivasa Rao (Inspector of Police,	Ex. P9 is the correspondence, Ex. P10 is correspondence between	-

	Cyber Crimes)	cyber crimes office and cellone, Ex. P13 is letter, Dt. 06/01/2012 between Cyber Crimes office and Airtel and Ex. P14 is the Letter dt., 09/01/2012 Ex. D7 is the email correspondence between Cyber crimes office and Airtel	
PW-14	P.V. Padmaja (Investigation Officer who filed charge sheet)	Ex. P8: FIR	-

EVIDENCE ON BEHALF OF DEFENCE

-NIL-

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