



**4TH SLCU NATIONAL TRIAL ADVOCACY
AND
JUDGMENT WRITING COMPETITION, 2019**



CHRIST
(DEEMED TO BE UNIVERSITY)
BENGALURU · INDIA

School of Law, CHRIST (Deemed to be University)

**4th National Trial Advocacy and Judgment Writing
Competition, 2019**

TRIAL PROPOSITION



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DISCLAIMER

This Trial Proposition is only for the purpose of 4th SLCU National Trial Advocacy and Judgment Writing Competition 2019. The contents of the same is purely imaginary and neither intends nor attempts to resemble any incident or any person living or dead. All materials, names, characters, locations, dates etc. in the trial proposition are fictitious and do not intend to or attempt to hurt the feelings or sentiments of any community or degrade the values and ideologies of any group of people, religion or individual. Any resemblance to the same is unintended and merely a coincidence.

UNDISPUTED FACTS

1. Althota Bhoopathi was a landlord in the city of Bendakalooru. Swapna Sundar is a very famous Real Estate Agent and owns 'Kanak No. 1 News Channel Pvt. Ltd.', in the same city. Althota Bhoopathi and Swapna Sundar have had differences from a long period of time. On 5th August 2018, charges were framed against Swapna Sundar under Section 302 of I.P.C for the murder of Althota Bhoopathi's brother Veeraraja. In this particular case Althota Bhoopathi is an eye-witness and informant to the Police.
2. On 10th September 2018, Swapna Sundar made accusations against Althota Bhoopathi for voluntarily causing grievous hurt to one of his (Swapna Sundar's) associate in order to extort property. Subsequently, Charges have been framed against Althota Bhoopathi by the Court of Sessions, Bendakalooru under Section 329 of I.P.C
3. Swapna Sundar utilises his popularity to tarnish the image of Althota Bhoopathi through Media and Press and influence the outcome of Remand Proceedings before the Competent Court in the city of Bendakalooru. The Trial of this matter is yet to begin, but before being remanded to the Judicial Custody, on 20th November 2018, Althota Bhoopathi makes a sensational statement to the press and media that he has been falsely framed by the Police, who have been allegedly bribed by Swapna Sundar. Althota Bhoopathi opines that he has been charged in order to close the case of the death of his brother Veeraraja, in which Swapna Sundar is the main accused.
4. Meanwhile, Swapna Sundar is worried about the murder case which is pending against him. Althota Bhoopathi is worried that justice won't be served to his brother's death as he will be confined in the Marappa Agrahara prison for now.



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5. In the Marappa Agrahara Prison of Bendakalooru, Althota Bhoopathi was in good terms with other inmates and he became quite popular. However, few old inmates by name, Swamy and Ranga used to get jealous of Althota Bhoopathi and his new-found popularity, so they planned to put his popularity to a halt. On several occasions, there were altercations between Althota Bhoopathi and Swamy's gang. The Chief Warder of the Marappa Agrahara Prison, Mr. Sakala Kalaa Vallabha had to intervene several times to stop them from fighting. Sakala Kalaa Vallabha also found it difficult to maintain discipline in the prison premises as nobody listened to him anymore other than Swamy and Ranga. The rest of the inmates always favoured Althota Bhoopathi.
6. Meanwhile, Swapna Sundar met the Chief Warder on 20th December 2018 which was noticed by Althota Bhoopathi inside the office of Sakala Kalaa Vallabha. After coming out of the Chief Warder's office, Swapna Sundar told Althota Bhoopathi the following - ***“Count your days from now, you can only pray to see me in the other Court.”***
7. On 1st January 2019, under suspicious circumstances, Althota Bhoopathi was found unconscious in a pool of blood inside his prison cell at 1:30 P.M. While he was being taken to the hospital in an ambulance, he made few statements before Dr. Moolick Shastri - *“Swapna Sundar should not be spared”*. A minute later, - *“the Chief Warder and some two other inmates conspired with each other to stop me”*. Finally, before he breathed his last, he uttered - *“That man will now get away with the murder of my brother Veeraraja”* and passed away.
8. On 2nd January 2019, Sakala Kalaa Vallabha received his letter of Promotion and Swamy & Ranga received their Temporary Release Orders on the ground of 'good behaviour' displayed over the years. On the same day (02-01-2019) at around 4:00 P.M., a blood-stained knife was found by one of the cleaners of the Prison, Mr. Chikanna in a dustbin close to Ranga's cell. Sakala Kalaa Vallabha, Ranga and Swamy are arrested by the Police later in the day in connection to the suspicious death of Althota Bhoopathi and due procedure of the Law was complied with.
9. The Investigating Officer, after a thorough investigation filed a Charge-Sheet against Sakala Kalaa Vallabha; Ranga; and Swamy who are Accused 1 (A1), Accused 2 (A2), and Accused 3 (A3) respectively in this instant matter. The case has been committed to the Court of Sessions, Bendakalooru. All the above three accused plead 'not guilty' for the Charges framed against them u/s 302 r/w 120B of I.P.C. by the Court of Sessions in the suspicious death of Althota Bhoopathi.
10. The Summons are issued to all the concerned Witnesses and the Trial is scheduled to commence on 31st of January 2019 at 11:00 A.M. before the Principal Judge, Court of Sessions, Bendakalooru.

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
BENDAKALOORU.

S.C. No. 01/2019

In the matter between:

C.C. No. 05/2019

State of Chennanataka through Kenda Sampige Nagara P.S

...Prosecution

vs.

Sakala Kalaa Vallabha and Others.

.... Defence

ORDER

(Deemed to be proved and taken on record)

In pursuance to the Committal Order issued by the learned 5th Additional Metropolitan Magistrate dated 24/01/2019, and wherefore information has been laid before me and on the consideration thereof, I have reasons to believe that all the three accused: (1) Sakala Kalaa Vallabha, (2) Ranga and (3) Swamy who are Accused 1 (A1), Accused 2 (A2), and Accused 3 (A3) respectively are alleged for having conspired to and committed the offence of Murder of one Mr. Althota Bhoopati inside his prison cell no. 25 of the Marappa Agrahara Prison, Bendakalooru, with a knife on the first day of January 2019 at about 1:15 P.M. - 1:30 P.M.

I, **Suresh Thamanna**, Principal Sessions Judge, Bendakalooru do hereby charge the above mentioned three accused for the offences committed which are punishable under section(s) 302 r/w 120B of I.P.C. and do hereby direct that you all be tried by this court for the above said offence from the date as specified.

The contents of the Charge have been read over and explained to all the three accused and the following questions were asked:



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Accused no. 1: Sakala Kalaa Vallabha

Q. Mr. Sakala Kalaa Vallabha, have you heard and understood the contents of Charges against you?

Ans. Yes

Q. Do you plead guilty for the same or claim Trial?

Ans. I plead not guilty and wish to contest in the Trial proceedings.

Accused no. 2: Ranga

Q. Mr. Ranga, have you heard and understood the contents of Charges against you?

Ans. Yes

Q. Do you plead guilty for the same or claim Trial?

Ans. I plead not guilty and wish to contest in the Trial proceedings.

Accused no. 3: Swamy

Q. Mr. Swamy, have you heard and understood the contents of Charges against you?

Ans. Yes

Q. Do you plead guilty for the same or claim Trial?

Ans. I plead not guilty and wish to contest in the Trial proceedings.

The Summons are issued to all the concerned Witnesses and the Trial is scheduled to commence on 31st of January 2019 at 11:00 A.M. before this Court.

Seal: Deemed to be affixed

Date: 25/01/2019

Signature of the Judge: Sd/-

Suresh Thamanna



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IN THE COURT OF 5th ADDITIONAL METROPOLITAN
MAGISTRATE,
BENDAKALOORU

C.C No. 05/2019.

In the matter between:

State of Chennanataka through Kenda Sampige Nagara P.S

...Prosecution

vs.

Sakala Kalaa Vallabha and Others.

.... Defence

ORDER

(Deemed to be proved and taken on record)

Whereas information has been laid before me and on the consideration thereof, I have reasons to believe that all the three accused: (1) Sakala Kalaa Vallabha, (2) Ranga and (3) Swamy who are Accused 1 (A1), Accused 2 (A2), and Accused 3 (A3) respectively are alleged for having conspired to and committed the offence of Murder of one Mr. Althota Bhoopati inside his prison cell no. 25 of the Marappa Agrahara Prison, Bendakalooru, with a knife on the first day of January 2019 at about 1:15 P.M. - 1:30 P.M.

Since the offence(s) is under Section(s) 302 r/w 120B of Indian Penal Code, 1860, it is exclusively triable by the Court of Sessions at Bendakalooru. Notice of the Committal Order has been given to the Public Prosecutor. Copies of the Final Report of the Investigating Officer have been given to all the three accused.

Seal: Deemed to be affixed

Signature of the Magistrate: Sd/-

Date: 24/01/2019

Venkatesh Hegde.

THE FINAL REPORT OF INVESTIGATING OFFICER

In the matter between:

State of Chennanataka through Kenda Sampige Nagara P.S ...Prosecution

vs.

Sakala Kalaa Vallabha and Others. Defence

1. Details

- a. District: Bendakalooru
- b. P.S: Kenda Sampige Nagara
- c. Year: 2019
- d. FIR No: 05/2019

2. Final Report/Charge-Sheet No: 45/2019

3. Date: 15th January 2019

4. Act: Indian Penal Code

Section(s): 302 r/w 120B

5. Type of final Report: Charge-Sheet

6. If supplementary or original: original

7. Name of the I.O.: Ms. Natasha D'Souza

Rank: The Inspector of Police

8. Name of Complainant / Informant: Dr. Moolick Shastri

9. Date of properties / Articles / Documents recovered / seized during investigation:

- (a) 3 samples of blood through cotton swabs each marked as 1a, 1b, and 1c respectively.
- (b) A pair of White Prison-inmate Uniform (Shirt and pant) which has blood stains marked as 2a and 2b respectively.
- (c) A blood-stained knife marked as 3.
- (d) A mobile phone of Accused No. 1 marked as 4.

10. Details of the Accused:

Accused No. 1

- (i). **Name:** Sakala Kalaa Vallabha **Whether verified:** Yes
(ii) **Father's Name:** Natasarva Bauma
(iii). **Age:** 55 **DOB:** 3/04/1963
(iv). **Sex:** Male
(v) **Blood group:** O +ve
(vi) **Nationality:** Indian
(vii). **Address:** Kalasipalya, Bendakalooru City
Whether verified: Yes
(viii) **Offence(s) charged under:** Section(s) 302 r/w 120B of IPC
(ix). **Status of the accused:** Judicial Custody

Accused No. 2

- (i). **Name:** Ranga **Whether verified:** Yes
(ii) **Father's Name:** Sanappa
(iii). **Age:** 38 **DOB:** 18/12/1980
(iv). **Sex:** Male
(v) **Blood group:** B +ve
(vi) **Nationality:** Indian
(vii). **Address:** Sureshpalya, Bendakalooru City
Whether verified: Yes
(viii) **Offence(s) charged under:** Section(s) 302 r/w 120B of IPC
(ix). **Status of the accused:** Judicial Custody

Accused No. 3

- (i). **Name:** Swamy **Whether verified:** Yes
(ii) **Father's Name:** Doddappa
(iii). **Age:** 35 **DOB:** 6/04/1983
(iv). **Sex:** Male
(v) **Blood group:** AB negative (AB -ve)
(vi) **Nationality:** Indian
(vii). **Address:** Ammareadypalya slum in Bendakalooru City limits
Whether verified: Yes
(viii) **Offence(s) charged under:** Section(s) 302 r/w 120B of IPC
(ix). **Status of the accused:** Judicial Custody



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11. Brief course of the Investigation:

Sakala Kalaa Vallabha, Ranga and Swamy who are Accused No. 1 (A1), Accused No. 2 (A2), and Accused No. 3 (A3) respectively for their personal gain have conspired and committed the offence of murder of one Mr. Althota Bhoopati (D) inside his prison cell no. C.25 of the Marappa Agrahara Prison, Bendakalooru, with a knife on the 1-01-2019 at about 1:15 PM – 2:15 PM.

Based on the information provided by Dr. Moolick Shastri (PW1) to whom the Althota Bhoopati (D) is said to have made a dying declaration before passing away on 01-01-2019 at about 2:15 P.M., the suspected persons were arraigned in the FIR drawn on the same day by Station House Officer, Kenda Sampige Nagara, which has been annexed as Annexure 1. The Investigating Officer then conducted the Inquest and whose report has been annexed as Annexure 2. Requisition was made for the post mortem of the body at Shushrutha Hospital.

Later, Panchanama along with spot map / crime scene sketch was drawn in the presence of two independent witnesses inside the prison and has been annexed as Annexure 3A and 3B respectively. Simultaneously, the I.O. delegated the Sub-Inspector of the P.S. to recover the deceased's clothes and take their photographs, which have been annexed as Annexure 4A and 4B respectively.

On 2/01/2019, The Intelligence Wing of the State Police Unit gathered information about the Promotion Order of Sakala Kalaa Vallabha (A1) and the Temporary Release Orders of Ranga (A2) and Swamy (A3). Based on the discovery of the murder weapon by Chikanna, one of the cleaners of the Prison (PW5) inside a dustbin close to the prison cell of Ranga (A2), the I.O. then recovered the murder weapon and drew a memo, which has been annexed as Annexure 5A and 5B respectively. The Promotion Order of Sakala Kalaa Vallabha (A1) has been annexed as Annexure 6, which depicts a hidden motive.

Based on the suspicious conduct of Sakala Kalaa Vallabha (A1), his phone was seized later in the day and a seizure memo was drawn which has been annexed as Annexure 7. A Whatsapp conversation between Sakala Kalaa Vallabha (A1) & Swapna Sundar (DW1) which has been annexed as Annexure 8 and the Placement Offer Letter of Sakala Kalaa Vallabha (A1)'s son

which has been annexed as Annexure 9 cumulatively indicate a reasonable motive in the conspiracy.

These incriminating evidences were sufficient to arrest Sakala Kalaa Vallabha (A1), Ranga (A2) and Swamy (A3) at about 5:00 PM on 2/01/2019 and proceed with further investigation. On the same day, witness statements u/s 161 of Cr.P.C of Mr. Raju, the Head Warder of Marappa Agrahara Prison, Bendakalooru (PW4) and Chikanna, one of the cleaners of the Prison (PW5) were recorded, which has been annexed as 14(i) and 14(ii) respectively. The Report of the Post Mortem was sent to the I.O. later in the day which has been annexed as Annexure 10.

The witness statements u/s 161 of Cr.P.C of Mrs. Sujatha (PW6), sister of Althota Bhoopati (D) was recorded on 3/01/2019 and has been annexed as Annexure 14(iii). The requisition for the Forensic Lab analysis was made along with the articles on 5/01/2019, whose report was sent to the I.O. on 10/01/2019 further confirms the presence of Swamy (A3) at the crime scene has been annexed as Annexure 11. The News Report which threw some light on the case has been annexed as Annexure 12. Lastly, various CCTV Footages collected by the I.O. clearly depict the hatching of the conspiracy and its execution.

12. List of Prosecution Witnesses:

1. Dr. Moolick Shastri
2. Ms. Natasha D'Souza
3. Mr. Rama
4. Mr. Raju R.
5. Mr. Chikanna.
6. Mrs. Sujatha Shivam

Forwarded by the Station House Officer / Officer in-charge.

Sd/-

Name: Ms. Natasha D'Souza

Rank: The Inspector,
Kenda Sampige Nagara Police Station.

Signature of the IO submitting the Final Report: Sd/-

ANNEXURE No. 1

FIRST INFORMATION REPORT

1. District: Bendakalooru **P.S.:** Kenda Sampige Nagara

2. FIR No.: 05/2019 **Date:** 01-01-2019

3. (i) Act: Indian Penal Code, 1860 (I.P.C)

(ii) Section(s): 302 r/w 120B

4. Time of occurrence of Offence: between 1:00 P.M. and 1:30 P.M.

5. Information received at P.S: 3:00 P.M. on 1st January 2019.

6. Type of Information: Oral

7. Place of Occurrence: Marappa Agrahara Prison, Bendakalooru.

(a) Direction and distance from P.S.: 2 KM West

(b) Address: Marappa Agrahara Prison, Malsoor, Bendakalooru.

(c) In case, outside the limit of this Police Station, then Name of P.S.: N.A.

9. Details of known/suspected/unknown accused with full particulars:

Suspected (i) Mr. Swapna Sundar, (ii) the Chief Warder of the Prison, and (iii) two other inmates of the Prison.

10. Reasons for delay in reporting by the complainant / informant: No delay.

11. Inquest Report / U.D. case No., if any: Attached separately.

12. First Information contents:

My name is Mr Moolick Shastri. I have been a practising Doctor in Shushrutha Hospital for the past 10 years. Every week on Tuesday and Friday, I am in-charge of Ambulance Service. On 01-01-2019, at about 2:00 P.M., we got an emergency call from Marappa Agrahara Prison, Bendakalooru. We rushed there immediately and observed that one Mr. Althota Bhoopathi was

immersed in blood. It seemed like he was stabbed by someone. We immediately shifted him to the Ambulance with the help of two helpers. We provided immediate medical aid and put him on ventilation.

There was a lot of traffic on Kenda Sampige Nagara. In the meantime, Althota Bhoopathi wanted to talk to me. He began wailing - "*Swapna Sundar should not be spared*". A minute later, - "*the Chief Warder and some two other inmates conspired with each other to stop me*". Finally, before he breathed his last, he uttered - "*That man will now get away with the murder of my brother Veeraraja*" and passed away at about 2:15 P.M.

I certify that Mr. Althota Bhoopathi was fully conscious of his speech while stating them to me. I am deeply saddened by his death and I am very sorry that I could not be of any help. I hope the culprit is traced and justice is served.

11. Action taken: Since the above information reveals commission of offence(s) it has been handed over to **Ms. Natasha D'Souza**, The Inspector, Kenda Sampige Nagara Police Station to take up the Investigation.

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost.

R.O.A.C.

12. Signature / Thumb impression of the Complainant/Informant:

Sd/-

Dr. Moolick Shastri

13. Signature of Officer in-charge of Police Station:

Sd/-

Mr. Subanna,

Head Constable.

16. Date and time of dispatch to the Court: 5:00 P.M. on 1st January 2019.

ANNEXURE No. 2
INQUEST REPORT

1. District: Bendakalooru

P.S.: Kenda Sampige Nagara

2. Details of the Witnesses:

Date: 01-01-2019

Pancha No. 1: Rama

Age: 25 years

Residing at # 123, 3rd Cross, Avarekere, Bendakalooru.

Pancha No. 2: Shama

Age: 30 years

Residing at #456, 2nd Main, B.J. Palya, Bendakalooru.

3. Details of the Deceased:

Althota Bhoopathi

Age: 42

Sex: Male

Permanent Residence: 123, 3rd Cross, Pandupura, Bendakalooru

4. By whom first found dead, when and where:

First found unconscious by Mr. Raju, Head Warder, between 1:15 P.M. and 1:30 P.M., inside his Prison Cell No. 25 while taking routine rounds on 01-01-2019.

5. By whom last seen alive, where and when and in whose company:

Last seen by Dr. Moolick Shastri, between 2:00 P.M. and 2:15 P.M., inside the ambulance but before reaching the hospital on 01-01-2019.

6. Height, colour and descriptive marks of the deceased:

6 feet 1 inches (Approx.), Wheatish Complexion, mole on right cheek and birth mark on the left shoulder.

7. Status of body; if any wounds, particulars thereof and list of property found on the body:



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Wounds- Multiple stab wounds with a knife in the abdominal right torso region and the region around the waist.

Clothes- white shirt and pant (Prison Uniform) with blood stains on them

8. Minute description of exact spot where corpse/body was found:

Found lying unconscious inside his Prison cell no. C25, at a distance of 5 feet from the door, 1.5 feet from the bed with body towards the toilet in North-East Direction inside his Prison cell.

9. Apparent cause of death:

Death seems to have occurred due to various stabs and deep cuts in the abdominal right torso region and the region around the waist.

10. If by violence, apparently by what weapon:

Weapon may be Kitchen Knife which is yet to be found at the crime scene.

11. If any person suspected, who and why:

Based on the information provided by Dr. Moolick Shastri to whom the deceased is said to have made few statements before passing away on 01-01-2019 at about 2:15 P.M., the suspected persons are (i) Mr. Swapna Sundar, (ii) Mr. Sakala Kalaa Vallabha, Chief Warder of the Prison, and (iii) Ranga and Swamy, two other inmates of the Prison.

12. Present status of the corpse/body:

The victim was brought dead to Sushrutha Hospital on 01-01-2019 at about 2:30 P.M. as he passed away inside the ambulance at about 2:15 P.M.

In order to determine the specific cause of death, at the request of Investigating Officer, the Post mortem/autopsy is under its way.

Pancha No. 1 - Rama: Sd/-

Name of the I.O.: Ms. Natasha D'Souza

Pancha No. 2 - Shama: Sd/-

Rank: Inspector of Police

Sign of the I.O.: Sd/-



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ANNEXURE NO. 3A

PANCHANAMA OF THE SCENE OF OFFENCE

Pancha No. 1: Rama

Age: 25 years

Residing at # 123, 3rd Cross, Avarekere, Bendakalooru.

Date: 01/01/2019

Pancha No. 2: Shama

Age: 30 years

Residing at #456, 2nd Main, B.J. Palya, Bendakalooru.

We, the above mentioned Panchas were called by Ms. Natasha D'Souza (the Investigating Officer) to act as Panchas in the present case at about 3:30 P.M. in the evening of 1st of January 2019. The Investigating Officer took us to cell no. C.25. The door of the cell was closed and secured by the Police and Jail authorities. The dimensions of the cell would be around 10 ft x 6 ft. As we entered the cell, we were shown where the body of one Mr. Althota Bhoopathi was found before being shifted in an ambulance and that area was marked. We could see the semi-dried pool of blood splattered on the floor, some blood-stains but nothing on the walls.

The Investigating Team with gloved hands, moistened the cotton swab with distilled water and collected samples from three different i.e, (i) area where the body was exactly found, (ii) area close to the body and bed where the blood was splattered and (iii) on the bed of the deceased. Each swab was placed in separate transparent packages with I.O. marking as 1a, 1b, and 1c respectively and placed inside an envelope and finally sealed by the Investigating Team in front of us.

Except for the above-mentioned items, no other item/ property was seized by the police in our presence. The Panchnama concluded at about 5:00 P.M on the same day and it was conducted in an orderly manner. The contents of the Panchnama were read over to us and are correctly recorded.

Pancha No. 1 - Rama: Sd/-

Name of the I.O.: Ms. Natasha D'Souza

Pancha No. 2 - Shama: Sd/-

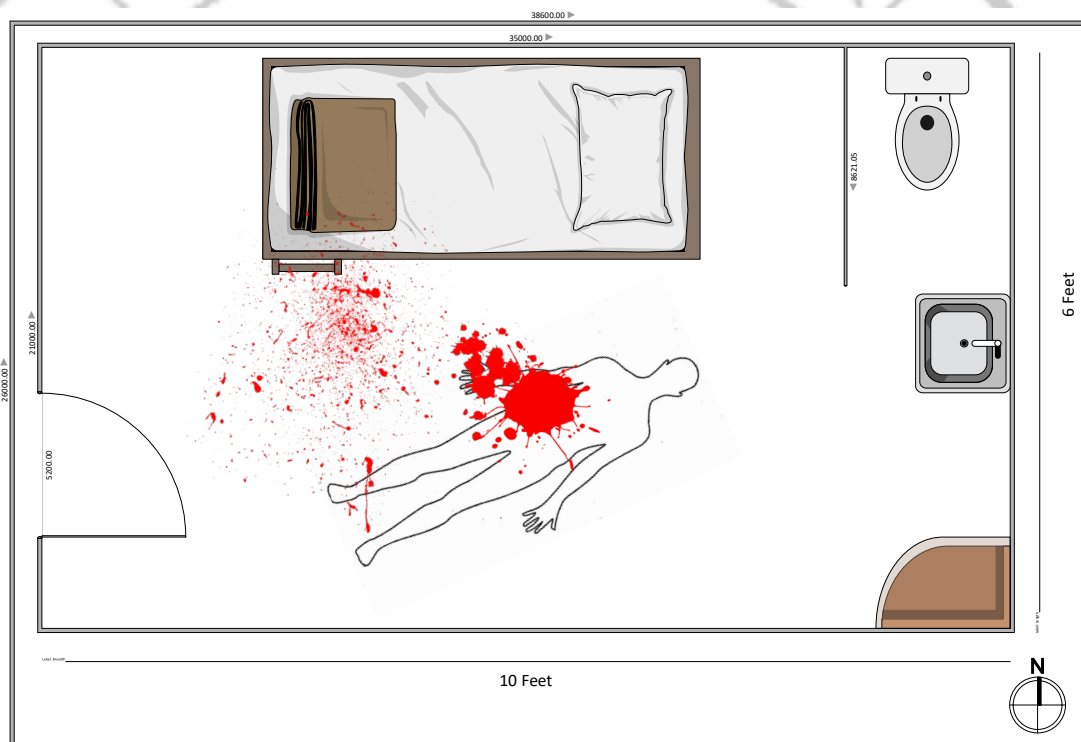
Rank: Inspector of Police

Sign of the I.O.: Sd/-

ANNEXURE NO. 3B

SPOT MAP / CRIME SCENE SKETCH

(Deemed to be proved and taken on record)



Pancha No. 1 - Rama: Sd/-

Name of the I.O.: Ms. Natasha D'Souza

Pancha No. 2 - Shama: Sd/-

Rank: Inspector of Police

Sign of the I.O.: Sd/-

ANNEXURE NO. 4A

RECOVERY / SEIZURE MEMO OF THE DECEASED'S CLOTHES

(Deemed to be proved and taken on record)

1. **District:** Bendakalooru **P.S.:** Bendakalooru

2. **FIR No.:** 05/2019 **Date:** 01/01/2019

3. **Acts and sections:** (i) **Act:** Indian Penal Code, 1860 (I.P.C.)

Section (s): 302 r/w 120 B

4. **Property seized / recovered / discovered at:** Shushrutha Hospital, Kenda Sampige Nagara.

(a) **Date:** 01/01/2019

(b) **Time:** 3:15 P.M.

(c) **Address of place from where seized / recovered:** Kenda Sampige Nagara Road.

5. **Witnesses:**

(i) Vikram

Age: 35 years

Occupation: Bus Conductor.

Residing at Jamanhalli.

(ii) Vinay

Age: 28 years

Occupation: Assistant Editor

Residing at Vijaya Nagara

6. **Action taken/recommended for disposal of perishable property:** nil

7. **Action taken/recommended for keeping of valuable property:** packed, sealed and sent to the safe custody of the Kenda Sampige Nagara Police Station.

8. Identification required: Yes

9. Details of properties seized / recovered: A blood stained Prison Uniform (Shirt and Pant) bearing inmate No. 303 was collected from the Shushrutha Hospital authorities, then packed in front of us with marking '2a' and '2b' respectively and then sealed accordingly. It was informed to us that they will be sent to the Police Station and then to the Forensic Lab for testing and analysis.

Except for the above-mentioned items, no other item/ property was seized by the police in our presence. The recovery was concluded at about 3:30 P.M. on the same day and it was conducted in an orderly manner. The contents of the Recovery Memo were read over to us and are correctly recorded.

Witness 1-Vikram: Sd/-

Witness 2-Vinay: Sd/-

Name of the officer: Mr. Nasser Khan

Rank: Sub-Inspector of Police

Signature of the Officer: Sd/-

ANNEXURE NO. 5A

RECOVERY / SEIZURE MEMO OF THE MURDER WEAPON

1. **District:** Bendakalooru **P.S.:** Kenda Sampige Nagara
2. **FIR No.:** 05/2019 **Date:** 02/01/2019
3. **Acts and sections:** (i) **Act:** Indian Penal Code, 1860 (I.P.C.)
(ii) **Section (s):** 302 r/w 120B
4. **Property seized / recovered / discovered at:** Inside a Blue Colour dustbin in the courtyard close to Prison Cell No. 47, Marappana Agrahara Prison.
 - (a) **Date:** 02/01/2019
 - (b) **Time:** 4:30 P.M. – 5:00 P.M.
 - (c) **Address of place from where seized / recovered:** Marappana Agrahara Prison, Bendakalooru.
5. **Witnesses:**
 - Pancha No. 1:** Rama
Age: 25 years
Residing at # 123, 3rd Cross, Avarekere, Bendakalooru.
 - Pancha No. 2:** Shama
Age: 30 years
Residing at #456, 2nd Main, B.J. Palya, Bendakalooru.
6. **Action taken/recommended for disposal of perishable property:** nil
7. **Action taken/recommended for keeping of valuable property:** packed, sealed and sent to the safe custody of the Kenda Sampige Nagara Police Station.
8. **Identification required:** Yes

9. Details of properties seized / recovered:

(a) **A Knife:** The police took us to the courtyard close to Prison Cell No. 47. There, we identified a Blue Colour dustbin. We observed that the garbage bag was torn from below and the garbage was laid on the ground. A blood-stained knife was found lying on the floor, along with all the garbage which had pieces of clothes with blood marks.

The Investigating Officer picked the said knife which was about 17 cm - 18 cm in length with gloved hands and placed it in a transparent cover and then placed it inside an envelope with the I.O. marking '3' and sealed it. No visible finger prints were seen on the knife.

Except for the above-mentioned item, no other item/ property was seized by the police in our presence. The recovery was concluded at about 5:00 P.M. on the same day and it was conducted in an orderly manner. The contents of the Recovery Memo were read over to us and are correctly recorded.

Pancha No. 1 - Rama: Sd/-

Name of the I.O.: Ms. Natasha D'Souza

Pancha No. 2 - Shama: Sd/-

Rank: Inspector of Police

Sign of the I.O.: Sd/-

ANNEXURE No. 6

PROMOTION ORDER OF ACCUSED No. 1

(Deemed to be proved and taken on record)



Office of the Addl. Director General of Police and Inspector General of Prisons.
#4, Seshadri Road, Bendakalooru

1 January 2019

AP.No. 12/2018-SD-P-(O)

ORDER

Shri Sakala Kalaa Vallabha, Chief Warder, presently working in the Marappa Agrahara Prison, Bendakalooru under the Chennanataka Prison Department is hereby promoted to post of the Superintendent of District Prisons, Bendakalooru with effect from 3-01-2019 and until further orders.

The administration of the Prisons throughout the district of Bendakalooru, shall be fully vested with the Office of Superintendent of Prisons:

- a) to maintain security of the prisoners
- b) to provide activities for reformation and rehabilitation of prisoners
- c) to maintain discipline among inmates;
- d) to ensure that the transport, arms and ammunition, stores and buildings belonging to the department are maintained in good condition;
- e) to organize good intelligence arrangements.
- f) to participate, to the extent possible and permissible, in welfare activities sponsored by official and non-official agencies;
- g) to gain the confidence and loyalty of sub-ordinates by personal integrity, impartiality, devotion to duty, and a high sense of justice;
- h) to get to know all officers and men serving under him, redress their grievances, if any, encourage those who are promising and effectively deal with those who are guilty of misconduct or remiss in the discharge of duty;
- i) to ensure the honesty and integrity of his subordinate officers;
- j) to pay surprise visits to the prison institutions at irregular intervals and check-up whether officers and men are alert.

Manu Jeyani
11/1/19

**ADDL. DIRECTOR GENERAL OF POLICE &
INSPECTOR GENERAL OF PRISONS
CHENNAKATA.**

- To,
- i) The Officer concerned.
 - ii) A.I.G. of Prisons, Chennanataka
 - iii) D.I.G. of Prisons, Chennanataka

ANNEXURE No. 7

RECOVERY / SEIZURE MEMO OF ACCUSED No. 1's PHONE

(Deemed to be proved and taken on record)

1. **District:** Bendakalooru **P.S.:** Kenda Sampige Nagara
2. **FIR No. / GD No. :** 05/2019 **Date:** 2/01/2019
3. **Acts and sections:** (i) **Act:** Indian Penal Code, 1860 (I.P.C.)
Section (s): 302 r/w 120B
4. **Property seized / recovered / discovered at:**
 - (a) **Date:** 2/01/2019
 - (b) **Time:** 5:00 A.M. – 5:15 P.M.
 - (c) **Address of place from where seized / recovered:** Marappa Agrahara Prison
5. **Person from whom seized / recovered:**
Name: Sakala Kalaa Vallabha
Age: 55 years
Occupation: Chief Warder of Marappa Agrahara Prison, Bendakalooru
Permanent Address: Kalasipalya, Bendakalooru
6. **Witnesses:**
 - (i) **Chenna**
Age: 23 years
Occupation: Cleaner
Residing at Pandupura, Bendakalooru
 - (ii) **Ranna**
Age: 28 years
Occupation: Photographer
Residing at Chandupura, Bendakalooru
7. **Action taken/recommended for disposal of perishable property:** nil

8. **Action taken/recommended for keeping of valuable property:** packed, sealed and sent to the safe custody of the Kenda Sampige Nagara Police Station.

9. **Identification required:** Yes

10. **Details of properties seized / recovered:**

Mobile phone of model OnePlus 2 having SIM card no. 887 with I.O. marking: '4'

Witness 1-Channa: Sd/-

Name of the officer: Mr. Nasser Khan

Witness 2-Ranna: Sd/-

Rank: Sub-Inspector of Police

Signature of the Officer: Sd/-

ANNEXURE No. 8

WHATSAPP CONVERSATION BETWEEN ACCUSED No. 1 AND DEFENCE

WITNESS No. 1

(Deemed to be proved and taken on record)



ANNEXURE No. 9

PLACEMENT OFFER LETTER OF ACCUSED No. 1's SON

(Deemed to be proved and taken on record)

Ka. KAMAK PVT. LTD.
NO.1 NEWS CHANNEL

77, M.G. Road, Bendakalooru

To,

Avakashavadi
s/o Sakala Kalaa Vallabha
11, Malsoor Area, Bendakalooru City

1 January 2019

Dear Mr Avakashavadi,

Sub: Letter of Appointment as the Editor of the Bendakalooru Bureau.

This letter is in reference to the skype interview conducted with you on 30th December 2018, we are happy to offer you the position of Editor of the Bendakalooru Bureau at Kamak No.1 News Channel Pvt. Ltd.

We take this opportunity to wish you all the very best in your new employment as well as advise you that our offer for the employment is on the following terms and condition:

1. Period of Service: Your employment with Kamak No. 1 News Channel Pvt. Ltd. or its affiliate companies shall commence on the 2/01/2019 with the usual formalities. The employment formalities have to be fulfilled as our Human Resource Desk will facilitate it with you. You shall, for the purpose of employment, with us, sign all the documents necessary for the submission and approval of the government authorities.
2. Designation and salary: You shall be employed as Editor-in-chief of the Bureau with other benefits will be as follow:
 - i) Remuneration: 70,000 Rs per Month as this shall be reviewed every six month based on your performance and commitment.
 - ii) Allowances: Included in the above remuneration.
 - iii) Accomodation: You will be provided a bunglow rented by the organisation.
 - iv) Transportation: Included in the above remuneration.

You may confirm your response to us by the latest. If you wish to discuss the details of the employment terms, please get in touch with the undersigned, in the event that we do not hear from you within the mentioned date, this offer will stand automatically stand withdrawn.

Looking forward to your response.

Yours sincerely,



Ashok Chatri,
The H.R. Coordinator,
Kamak No. 1 News Channel Pvt. Ltd.,
Bendakalooru



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AND
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ANNEXURE No. 10

POST MORTEM REPORT

(Deemed to be proved and taken on record)

NAME OF THE INSTITUTION: SHUSHRUTHA HOSPITAL

DATE: 2-01-2019

POST MORTEM REPORT NO: 2/2019

DATE AND TIME OF RECEIPT OF BODY: 1-01-2019, 2:30 P.M.

DATE AND TIME OF COMMENCEMENT OF AUTOPSY: 1-01-2019, 6:00 P.M.

DATE AND TIME OF COMPLETION OF AUTOPSY: 1-01-2019, 9:00 P.M.

ESTIMATED TIME OF DEATH: 1:10 P.M. – 1:20 P.M. on 1-01-2019

CASE PARTICULARS:

1. **Name of Deceased:** Althota Bhoopathi
2. **Address:** 123, 3rd Cross, Pandupura, Bendakalooru
3. **Age:** 42 years
4. **Sex:** Male
5. **Blood Group:** 'O positive' (O +ve)
6. **Body brought by:** Dr. Moolick Shastri
7. **Identified by:** Sujatha Shivam

OBSERVATIONS:

1. **Height:** 6 feet, 1 inch.
2. **Weight:** 86 kgs
3. **Physique:** Well built, muscular

4. Description of clothes worn: White shirt and white pant with the number of the prison inmate number 303.

5. External Appearance:

A. EXTERNAL EXAMINATION: The body is that of an adult male measuring 6ft 1inch in height and 86 kilograms in weight. The body is well built with wounds in the abdomen region. The scalp is round. Nose is long and sharp. The tongue is white. Lips are pale. Total number of teeth present are 29. Multiple stab marks are present in the right anterior abdomen region which appears to be caused by a sharp knife. The weapon has penetrated 7.5 cm - 8 cm into the abdominal cavity and has caused stab wounds which has led to severe loss of blood. Rigor Mortis is present. Multiple abrasions found on the hands which seems to have been caused as a result of a struggle prior to the death.

B. INTERNAL EXAMINATION- The right torso has been damaged due to the penetrating wound which has led to profuse internal bleeding which is clear from the amount of blood found in the blood-stained clothes of the deceased. The internal bleeding has led to a multiple organ failure which has caused the death of the deceased. The crude nature of the weapon seems to have damaged the vital organs in the abdomen region, such as the small intestine and Liver.

OPINION:

The death has occurred due to injuries to the major internal organs of the body resulting in excessive internal bleeding and multiple organ failure. The injuries are caused from a sharp metal object, a knife. The deceased would have succumbed to death within 1 hour from the time the injuries were inflicted.

Sd/-

Dr. Ashank Gowda

Medical Officer, Shushrutha Hospital
Bendakalooru.



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ANNEXURE No. 11

FORENSIC SCIENCE LABORATORY REPORT

(Deemed to be proved and taken on record)

**GOVERNMENT OF CHENNANATAKA
STATE FORENSIC SCIENCE LABORATORY
DADIWALA
BENDAKALLOORU CITY**

Reg. No: FSL(Ba)/09/2019

Date: 10/01/2019

From,

The Director and Chemical Examiner
Government of Chennanataka,
State Forensic Science Laboratory
Dadiwala, Bendakalooru City.

To,

The Inspector of Police
Kenda Sampige Nagara Police Station,
Bengaluru City.

Ref No: Your letter No.: FSL/ 01/IP- 04/2019 dated 05/01/2019

CERTIFICATE OF EXAMINATION:

The articles sent in FIR. No. 05/2019 of Kenda Sampige Nagara Police Station u/s 302 r/w 120B of I.P.C., 1860, were received in the laboratory for the examination on 05/01/2019 through Head Constable Vineet Desai, 3166-HC. The seals found on the articles were intact and tallied with sample seal. The description found on the articles correspond to that of those present in the invoice.

MATERIALS EXAMINED:

Sl No.	Description of Article	I.O. Marking
1.	Blood Sample	1a
2.	Blood Sample	1b
3.	Blood Sample	1c
4	One White Shirt	2a
5	One White Pant	2b
6	One knife	3

METHOD OF ANALYSIS:

Observations were noted and tests were conducted for blood using presumptive test namely benzidine test. The presence of bloodstains was further confirmed by conduction of takayama test. There were no visible fingerprints on the knife. The blood-stained exhibits were subjected to serological analysis. The origin was determined by the gel diffusion method. Cross over electrophoresis and the blood grouping was determined by the absorption elution method.

RESULTS OF ANALYSIS:

- I. Items 1a, 1b, 1c, 2a, 2b, 3, were stained with human blood.
- II. Blood in Item 1a was agglutinated; hence, their origin could not be determined.
- III. Items 1b was stained with O +ve blood group
- IV. Items 1c was stained with O +ve blood group.
- V. Items 2a and 2b were stained with O +ve blood group
- VI. Items 3 was stained with O +ve and AB negative (AB -ve) blood groups.

Countersigned

Sd/-
Dr. Marc Antony
Asst. Director.

Sd/-
Dr. Sharath Chandra
Scientific Officer

Forwarded: Receipt of the same may please be acknowledged.

Sd/-
Dr. Narayan Iyer
The Director
Forensics Science Laboratory
Dadiwala, Bendakalooru-560068.

ANNEXURE No. 12

NEWS REPORT

(Deemed to be taken on record)

Kamak Daily

Ka. KAMAK PVT. LTD.
NO.1 NEWS CHANNEL

Bendalakooru, 26th September 2018.

EDITOR'S COLUMN

Rags to Riches and Riches to Rags: 'Deceptive Althota Bhoopathi'

- Sundar Basya

A well-known head of the sand mafia and the real estate cheater leads a deceptive life in a web of lies. Yes, it is Mr. Althota Bhoopathi who was originally known as Annathalai Boopathi who is the son of an auto driver Natarva Bauma and maid-servant Gowramma, and has two siblings – Veeraraja, his elder brother and Sujatha, his younger sister, who all have immigrated from Limat Danu to Chennanataka.

Having lived in the slums of Bendalakooru, Althota Bhoopathi quickly came under the influence of alcohol and other vices. At the young age of eight, Althota Bhoopathi had already begun selling drug packets and picking pockets of unwary commuters of the well-connected bus routes of Chennanataka. Eventually he came under the wing of the Sand Mafia Don

Maniswamy who also migrated from Limat Danu to Chennanataka. Together they established one of the largest sand smuggling mafia and real estate empire in Bendalakooru.

Althota Bhoopathi was eventually forced to step down his real estate by a true competitor, Swapna Sundar, who because of his brilliance and keen sense of business. Althota Bhoopathi is now facing a Police Investigation for voluntarily causing grievous hurt to one of Swapna Sundar's associate in order to extort property. He had earlier filed a murder case for the death of his brother Veeraraja against Swapna Sundar in an attempt to claim revenge and glory. However, the entire polity knows who is innocent and who isn't. It is high time that the State of Chennanataka deserve to know this truth!



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ANNEXURE No. 14

PROSECUTION WITNESS STATEMENTS u/s 161 OF Cr.P.C

(i) PROSECUTION WITNESS No. 4 (P.W. 4) - RAJU

Raju R.

DOB: 3/11/1985

#99, Parangipalya, Bendakalooru

I am the Head Warder of the Marappa Agrahara Prison, Bendakalooru. There are about 400 cells for each of the inmate in our prison but with no demarcation for Convict Prisoners and Under-Trial Prisoners. The nature of my work involves assisting Sakala Kalaa Vallabha Sir who was the Chief Warder and performing his duties whenever he is unavailable. The inmates' breakfast timings are from 8:00 AM to 9:00 AM, Lunch from 1:00 PM to 2:00 PM and Supper from 8:00 PM to 9:00 PM. During all these break timings, the inmates' cells are open.

Sakala Kalaa Vallabha Sir and I have shared a family-like bond for the past few months. But suddenly, he stopped telling me the details of his day or work. I tried asking him so many times but he said he was just sad that 2018 was coming to an end. My work timings for the inspection rounds are from 5:00 P.M – 5:00 AM of the next day. However, he asked me to do his morning duties on 1st & 2nd January 2019 on 31st of January 2018. He did not give any specific reasons for doing so. I thought he wanted to rest for some time, so I agreed.

On 1st of January 2019, when I was in my deputed rounds at 1:15 P.M. and 1:30 P.M, I saw one Mr. Althota Bhoopati's body lying in a pool of blood inside his prison cell C.25. I immediately asked the Guards to inform the medical aid unit of the prison and Sakala Kalaa Vallabha Sir. Later we called the ambulance for better medical treatment. I was informed later that Mr. Althota Bhoopati passed away before reaching the hospital. Meanwhile, the Police conducted some investigation inside the Prison premises and I ensured complete co-operation from the Prison authorities and staff.

There are repeated fights among inmates during their Lunch and Supper time. Sometimes, we manage to stop them and sometime, we just can't help them from harming each other. I was



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informed by Ranga about one such fight which happened on 1st of January 2019 amongst Swamy and few others at Lunch hour, before the tragic death of Mr. Althota Bhoopati.

On 2nd January 2019, it was informed to me that Sakala Kalaa Vallabha Sir received his letter of Promotion and few other inmates got their Temporary Release Orders on the ground of 'good behaviour' displayed over the years. On the same day at around 4:00 P.M., a blood-stained knife was found by one of the cleaners of the Prison, Mr. Chikanna in a dustbin close to C.47 (Ranga's Cell). I informed the Police about it, who after completion of the recovery process, arrested Sakala Kalaa Vallabha Sir, who just happened to enter the prison for his duty at about 5:00 PM. Ranga and Swamy, two of the inmates who received their Temporary Release Orders were also arrested by the Police later in the day in furtherance of investigation of the suspicious death of Althota Bhoopathi. The mobile phone of Sakala Kalaa Vallabha Sir was also seized. It seems like everything from the start of this year is very disturbing at Marappa Agrahara Prison.



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(ii) PROSECUTION WITNESS No. 5 (P.W. 5) - CHIKANNA

Mr. Chikanna.
DOB: 16/08/1980
#45, Chalasipalya, Bendakalooru

I have been working in the Marappa Agrahara Prison as one of the cleaners for the past 2 years. I usually report to work around 3:00 PM and leave for home around 7.00 PM. Like any other day, I came to work on 1st January 2019 at 2:30 PM and followed my usual routine by starting to clean the Chief Warder's office first. However, he was not present and the Head Warder's staff informed me that Chief Warder has gone for his elevation work. So, I cleaned the Chief Warder's office. I eventually heard from the other cleaning staff about murder of one of inmates in C.25, this afternoon.

The next day, at around 4:00 PM, when I started to clean the corridors of the Prison, I sensed a stench of blood in the Prison. Initially, I did not pay heed to the smell as I thought that the rodents would have been killed by one of the prisoners. While I was taking trash out of a Blue colour dustbin which is close to C.47, I found a blood-stained knife along with other dirty papers, few pieces of blood-stained cloth, which was covered with dust. Having a sort of hunch that this could have something to do with the death of Bhoopathi, I immediately brought it to the notice of the Head Warder, and on his orders, I opened up the bag on the ground. He later called the police, who arrived at about 4:30 PM and seized that knife in front of some two witnesses. The Police asked me few questions for which, I co-operated and gave these statements.



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(iii) PROSECUTION WITNESS No. 6 (P.W. 6) – SUJATHA

Mrs. Sujatha Shivam
DOB: 2/10/1993
123, 3rd Cross, Pandupura, Bendakalooru

My brothers, Althota Bhoopathi and Veeraraja, were very humble people who never interfered in anyone's personal or professional matters. Veeraraja Anna gained a lot of popularity in 2016. Swapna Sundar was a rookie in the Real Estate business at that time. He made huge investments in this venture. He had always been jealous of my hardworking brothers. He has made sarcastic and envious comments in the past. But my Veeraraja Anna never responded to his futile attempts to provoke similar replies.

Due to severe business competition in our locality, Swapna Sundar had been incurring losses. He kept threatening us by asking us to restrict the business and take money from us instead. He thinks he can buy the world with his ancestral wealth.

He had been behaving like a mad man who had lost his business and wealth. He conspired with his local gang and killed my brother on 3rd August 2018. Bhoopathi Anna made sure he brought justice to Veeraraja and filed a case against all of these murderers. In order to save his reputation, Swapna Sundar threatened us to withdraw the case in exchange for a huge sum of money.

On 10th September 2018 he crossed all his limits by falsely implicating my brother in an extortion case a week before the Court was supposed to proceed against him. He somehow used his wealth and power to get Bhoopathi Anna arrested. The entire media was favouring Swapna Sundar because of the defaming statements he had been making against my brother. Bhoopathi Anna is an innocent man who was stuck in this legal hassle. Veeraraja Anna was killed as a victim of his (Swapna Sundar's) wrath and jealousy against us. I could not lose one more brother. I told Bhoopathi Anna to tell the world about the reality and as suggested on 20th November 2018, Bhoopathi Anna told the media he was innocent. On the same evening, Swapna Sundar sent his gundas to me and said, *"If your brother thinks he can keep me behind the bars, then you wait and watch what I will do. Do not forget how the history repeats itself."* And now it has actually come true after the death of my other Bhoopathi Anna. I just want justice to be served for the loss of my brothers.



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DEFENCE EVIDENCE

STATEMENTS OF ACCUSED No. 1. (A1) - SAKALA KALAA VALLABHA:

I am Sakala Kalaa Vallabha s/o Natasarva Bauma. I live in Kalasipalya, Bendakalooru City, Chennanataka-017. I am 55 years old. I have been working at the Marappa Agrahara Prison Bendakalooru under the Chennanataka Prison Department for the last 20 years and have served to the best of my abilities under various positions. I was notified on 1-01-2019 about my elevation as the Superintendent of District Prisons, Bendakalooru and was about to take charge from 3-01-2019. As the Chief Warder, my work timings for the inspection rounds was from 5:00 A.M to 5:00 PM and Raju, the Head Warder used to do the other shift. However, I had asked Raju to replace me on 1st & 2nd of January 2019 since I had many other things to take care of.

I am very strict in terms of discipline and conduct inside the prison. This has led inmates to dislike me at times. I had earlier taken severe actions against inmates fighting with each other during Lunch and Supper time. The inmates' breakfast timings are from 8:00 AM to 9:00 AM, Lunch from 1:00 PM to 2:00 PM and Supper from 8:00 PM to 9:00 PM. During all these break timings, the inmates' cells are open.

Raju informed me about the suspicious murder of one Mr. Althota Bhoopathi on 1-01-2019. On the day of the said murder, I was not even at the Prison. When I returned on 2-01-2019 to my duty at about 5:00 PM, the Police were present inside the prison premises. They had arrested Ranga and Swamy, two of the inmates who had just received their Temporary Release Orders earlier in the day in connection with the suspicious death of Althota Bhoopathi. The Police soon asked for my mobile phone and later arrested me. They explained me that I had conspired with those two inmates to commit this crime. I vehemently deny all these charges.

I know Althota Bhoopathi well because he is very popular and at the same time, few wanted to get rid of him. He never used to obey to the prison authorities and used to create ruckus at times. I know Ranga and Swamy very well. They have been obedient to the orders of the authorities in the Prison. They have interacted with me at times. However, they had to wait for such a long



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time to get their Temporary Release Orders. But now, we all have been framed for no legitimate reason.

I own few prime properties in Bendakalooru. I know one Mr. Swapna Sundar, a real estate tycoon in this city, with whom I prefer to deal my properties. Swapna Sundar also owns a media house is a well-connected person in the Political sphere. He was going through some murder case prosecution, the details of which I am not aware of. He has helped me in the past. He is kind enough to provide my son a top job in his company. He recently mediated the deal for one of my properties which one Mr. Nagraj, a senior Minister from the ruling Party badly wanted. Though I was unwilling initially, Swapna Sundar later advised me the good things about transacting with the people from ruling party. I take his suggestions and instructions thoroughly since he is the best man in the game!



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STATEMENTS OF ACCUSED No. 2. (A2) - RANGA:

I am Ranga s/o Sanappa. I am 38 years old. I was born on 18th December 1980. I reside at Sureshpalya, Bendakalooru city, Chennantaka-007. I am currently serving my jail term at the Marappa Agrahara Jail for the murder of my neighbour Hunter Maal, since he tried inducing my kids to narcotics and drugs.

I am obedient to the prison authorities, especially to Sakala Kalaa Vallabha Sir. So, I get small privileges like increased time of visits with my family, which the other inmates were envious about me. Althota Bhoopathi was in good terms with other inmates and soon became quite popular. But he was neither in good terms with me nor with the prison authorities.

On 1-01-2019, after the commencement of Lunch break, there was a heated argument between my friend Swamy and Manja. This turned into a violent scene when Swamy pushed aside Manja in anger and Manja hit his face back. This finally resulted in Swamy getting his nose to bleed. So, we rushed to get some medical aid from the Prison Medical facility at around 1:30 PM. Later, we heard about the mysterious murder of Althota Bhoopathi.

The next day, our Prison Cleaner, Chikanna found a blood-stained knife inside a dust bin near my cell. We were all wondering, if this was the same weapon that was used to murder Althota Bhoopathi. After some time, the Police came and arrested Swamy, me and Sakala Kalaa Vallabha Sir. I deny all the charges against me. I have been a scapegoat only because Swamy is my good friend and a knife was found near my cell premises.

I have received my Temporary Release Order which has its effect from 3-01-2019. But this Trial is compensating for my earlier privilege of increased time of family visits at the Prison. I don't understand if being obedient will lead to being framed for a murder.

TEMPORARY RELEASE ORDER OF ACCUSED No. 2.

(Deemed to be proved and taken on record)



Office of the Addl. Director General of Police and Inspector General of Prisons.
#4, Seshadri Road, Bendakalooru

1 January 2019

TR. No. 1/2019-MAP-(O)

ORDER

Ranga s/o Sanappa, with permanent residence at Sureshpalya, Bendakalooru City is an inmate in the Marappa Agrahara Prison, Bendakalooru, with inmate number MAP-036 is hereby granted a temporary release with due compliance of Section 55 of the Chennanataka Prisons Act, 1963 for a period not exceeding ten days w.e.f. 03-01-2019 (excluding the time required for journeys and the days of departure from and the arrival at prison) since his conduct in prison has been good.

He is currently serving his fifth year of sentence of a term of imprisonment of 7 years in the said prison and has not neither sought nor been provided for a release in the past 12 months



Manjappa
1/1/19

**ADDL. DIRECTOR GENERAL OF POLICE &
INSPECTOR GENERAL OF PRISONS
CHENNANATAKA.**

To,

- i) The Inmate concerned
- ii) The Superintendent of District Prisons, Bendakalooru
- iii) The Chief Warder of Marappa Agrahara Prison, Bendakalooru
- iv) The Head Warder of Marappa Agrahara Prison, Bendakalooru



4TH SLCU NATIONAL TRIAL ADVOCACY
AND
JUDGMENT WRITING COMPETITION, 2019



STATEMENTS OF ACCUSED No. 3. (A3) - SWAMY:

I am Swamy, s/o of Doddappa. I am 35 years old. I live at Ammareadypalya slum in Bendakalooru City limits, Chennanataka-023. I am currently serving my jail term at the Marappa Agrahara Jail for the murder of a don. I am popularly known as Rocky Bhai inside the Prison because of my traits. I am fortunate enough to have met Ranga inside this prison. I am very short tempered and don't appreciate when I don't get enough attention from other inmates in the prison. After Bhoopathi has come to the Prison, his new-found popularity has taken away all my fans and followers.

On 1-01-2019, at the start of Lunch break, there was a heated argument between Manja and me. He provoked me when he said – *“Seems like, Swamy does not have more hawa than Althota Bhoopathi. Bhai anthe, Rocky Bhai anthe”* and laughed at me. I was enraged about my Bhai joke and hit Manja. His gang members later did the honours because of which I sustained severe injuries from that fight. Ranga rushed me to get some medical aid from the Prison Medical facility at around 1:30 PM. I covered my nose and one eye with a small cloth and threw that at a dust bin while rushing. Later in the day, I heard about the mysterious murder of Althota Bhoopathi.

The next day, our Prison Cleaner, Chikanna found a blood-stained knife inside a dust bin near my cell. We were all wondering, if this was the same weapon that was used to murder Althota Bhoopathi. After some time, the Police came and arrested Swamy, me and Sakala Kalaa Vallabha Sir. I have received my Temporary Release Order which has its effect from 3-01-2019. But I'm stuck up in this Trial here instead of utilising what I have been wanting for years. I deny all the charges against me which the Police have cooked up. Just because I don't like Althota Bhoopathi, does not mean that I go and kill him one day.

TEMPORARY RELEASE ORDER OF ACCUSED No. 3.

(Deemed to be proved and taken on record)



Office of the Addl. Director General of Police and Inspector General of Prisons.
#4, Seshadri Road, Bendakalooru

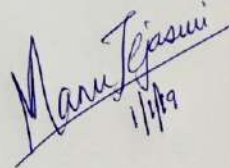
1 January 2019

TR. No. 2/2019-MAP-(O)

ORDER

Swamy s/o Doddappa, with permanent residence at Ammareadypalya slum in Bendakalooru City limits, is an inmate in the Marappa Agrahara Prison, Bendakalooru, with inmate number MAP-045 is hereby granted a temporary release with due compliance of Section 55 of the Chennanataka Prisons Act, 1963 for a period not exceeding ten days w.e.f. 03-01-2019 (excluding the time required for journeys and the days of departure from and the arrival at prison) since his conduct in prison has been good.

He is currently serving his fourth year of sentence of a term of imprisonment of 7 years in the said prison and has not neither sought nor been provided for a release in the past 12 months



Manu Tejaswi
1/1/19

**ADDL. DIRECTOR GENERAL OF POLICE &
INSPECTOR GENERAL OF PRISONS
CHENNANATAKA**

To,

- i) The Inmate concerned
- ii) The Superintendent of District Prisons, Bendakalooru
- iii) The Chief Warder of Marappa Agrahara Prison, Bendakalooru
- iv) The Head Warder of Marappa Agrahara Prison, Bendakalooru

WOUND CERTIFICATE OF ACCUSED No. 3.

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALooru,
CHENNANATKA.**

WOUND CERTIFICATE

1. **Serial No:** 1/2019

2. **Date and time of examination:** 1/01/2019 and
1:30 PM -1:45 PM

3. **Name and inmate No.:** Swamy - 187

Age : 35

Sex : Male

4. **Blood Group:** AB -ve

5. **Identification marks:**

- (1) Mole on Right arm.
- (2) Scar on upper left side of the forehead.

6. **Brought by (Name & inmate No.):** Ranga - 63

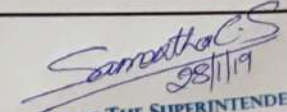
7. **History and alleged cause of injury:** fist fight

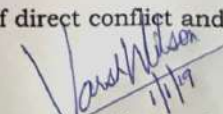
8. **Details of injuries:**

- 1) The upper eyelid of the right eye is swollen to a large extent. There is a laceration measuring 3 centimetre in length across this eyelid which has caused the eyelid to be split.
- 2) A periorbital hematoma has been observed under the lower eyelids of the left eye. The bruising seems to have been caused due to blunt force to the eye socket resulting in the bursting of capillaries. A retinal vascular occlusion has also been observed in the same eye.
- 3) A premolar tooth towards the left side of the mouth has been broken. The tooth has been chipped off from a severe impact using a blunt object which has also resulted in a laceration measuring 2 centimetre- in length stretching across the vermilion border.
- 4) Nose appears edematous and contusion is present on dorsum of nose
- 5) Finger nail marks present in surrounding areas of nose and eyes.

9. **Opinion:** I am of the opinion that the wounds were non-fatal in nature. Most of the wounds around the face were from a result of direct conflict and thus not self-inflicted.

Date: 1/01/2019


28/1/19
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALooru


1/1/19
Signature of the issuing officer.



4TH SLCU NATIONAL TRIAL ADVOCACY
AND
JUDGMENT WRITING COMPETITION, 2019



STATEMENTS OF DEFENCE WITNESS No. 1. (D.W. 1) - SWAPNA SUNDAR:

I am Swapna Sundar s/o Thuntappa. I am a resident of Mylari Nagara, Bendakalooru city. Chennanataka. I am 42 years old. I have a Real Estate business and own 'Kanak No. 1 News Channel Pvt. Ltd.', in the same city. I have good political connectivity with the ruling party members.

Althota Bhoopathi and I have had professional differences from a long period of time. However, things changed when on 5th August 2018, false charges were framed against me under Section 302 of I.P.C for the murder of Althota Bhoopathi's brother Veeraraja. I have not got any unfavourable Order from the Court though.

In early September 2018, I made accusations against Althota Bhoopathi for voluntarily causing grievous hurt to one of my associates in order to extort property, for which Charges were framed against Althota Bhoopathi by the Court of Sessions, Bendakalooru under Section 329 of I.P.C. for which he was sent to Marappa Agrahara Prison, Bendakalooru.

I wish I could see him soon and prove that I am better than him. But unfortunately, he was killed inside the prison. People suspected me initially. But it is not so easy to put me behind bars.

Sakala Kalaa Vallabha was the Chief Warder of Marappa Agrahara Prison, Bendakalooru. He prefers to deal with me for his properties. Recently I got his son a top job in my company. He recently facilitatted the deal for one of his properties which one Mr. Nagraj, a senior Minister from the ruling Party badly wanted. Though I was unwilling initially, I later advised him about the good things about transacting with the people from the ruling party. This is how, I handle with people and get the job done.

Sakala Kalaa Vallabha is innocent in this case and should not be blamed for. The police can try their luck in getting the real culprit to pay for the price.

JAILOR'S RECORDS

(Deemed to be proved and taken on record)

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALOORU,
CHENNANATKA.**

Jailor's Records
December 2018

Samaatha C.S.
28/1/19
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALOORU

Sl. no	Name of the Jailor	Entry Date and Time	Exit Date and Time	Remark (if any)	Signature of the Jailor		Signature of the Officer in-charge (Guard)	
1	Sakala Kalaa Vallabha	1/12/18 5:00 AM	1/12/18 5:00 PM	—	SKV	SKV	Spm	Spm
2	Raju	1/12/18 5:00 PM	2/12/18 5:00 AM	—	Raju	Raju	Spm	Spm
3	Sakala Kalaa Vallabha	2/12/18 5:00 AM	2/12/18 5:00 PM	—	SKV	SKV	Spm	Spm
4	Raju	2/12/18 5:00 PM	3/12/18 5:00 AM	—	Raju	Raju	Spm	Spm
5	Sakala Kalaa Vallabha	3/12/18 5:00 AM	3/12/18 5:00 PM	—	SKV	SKV	Spm	Spm
6	Raju	3/12/18 5:00 PM	4/12/18 5:00 AM	—	Raju	Raju	Spm	Spm
7	Sakala Kalaa Vallabha	4/12/18 5:00 AM	4/12/18 5:00 PM	—	SKV	SKV	Spm	Spm
8	Raju	4/12/18 5:00 PM	5/12/18 5:00 AM	—	Raju	Raju	Spm	Spm
9	Sakala Kalaa Vallabha	5/12/18 5:00 AM	5/12/18 5:00 PM	—	SKV	SKV	Spm	Spm
10	Raju	5/12/18 5:00 PM	6/12/18 5:00 AM	—	Raju	Raju	Spm	Spm
11	Sakala Kalaa Vallabha	6/12/18 5:00 AM	6/12/18 5:00 PM	—	SKV	SKV	Spm	Spm
12	Raju	6/12/18 5:00 PM	7/12/18 5:00 AM	—	Raju	Raju	Spm	Spm

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALOORU,
CHENNANATKA.**

Jailor's Records
December 2018

S. S. S. S.
28/11/18
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALOORU

Sl. no	Name of the Jailor	Entry Date and Time	Exit Date and Time	Remark (if any)	Signature of the Jailor		Signature of the Officer in-charge (Guard)	
13	Sakala Kalaa Vallabha	7/12/18 5:00 AM	7/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
14	Raju	7/12/18 5:00 PM	8/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
15	Sakala Kalaa Vallabha	8/12/18 5:00 AM	8/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
16	Raju	8/12/18 5:00 PM	9/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
17	Sakala Kalaa Vallabha	9/12/18 5:00 AM	9/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
18	Raju	9/12/18 5:00 PM	10/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
19	Sakala Kalaa Vallabha	10/12/18 5:00 AM	10/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
20	Raju	10/12/18 5:00 PM	11/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
21	Sakala Kalaa Vallabha	11/12/18 5:00 AM	11/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
22	Raju	11/12/18 5:00 PM	12/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
23	Sakala Kalaa Vallabha	12/12/18 5:00 AM	12/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
24	Raju	12/12/18 5:00 PM	13/12/18 5:00 AM	—	Raju	Raju	Spp	Spp

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALOORU,
CHENNANATKA.**

Jailor's Records
December 2018

S. Somathia GS
28/1/19
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALOORU

Sl. no	Name of the Jailor	Entry Date and Time	Exit Date and Time	Remark (if any)	Signature of the Jailor		Signature of the Officer in-charge (Guard)	
25	Sakala Kalaa Vallabha	13/12/18 5:00 AM	13/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
26	Raju	13/12/18 5:00 PM	14/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
27	Sakala Kalaa Vallabha	14/12/18 5:00 AM	14/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
28	Raju	14/12/18 5:00 PM	15/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
29	Sakala Kalaa Vallabha	15/12/18 5:00 AM	15/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
30	Raju	15/12/18 5:00 PM	16/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
31	Sakala Kalaa Vallabha	16/12/18 5:00 AM	16/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
32	Raju	16/12/18 5:00 PM	17/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
33	Sakala Kalaa Vallabha	17/12/18 5:00 AM	17/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
34	Raju	17/12/18 5:00 PM	18/12/18 5:00 AM	—	Raju	Raju	Spp	Spp
35	Sakala Kalaa Vallabha	18/12/18 5:00 AM	18/12/18 5:00 PM	—	SKV	SKV	Spp	Spp
36	Raju	18/12/18 5:00 PM	19/12/18 5:00 AM	—	Raju	Raju	Spp	Spp

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALOORU,
CHENNAI.**

Jailor's Records
December 2018

Coramath CS
98/1/19
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALOORU

Sl. no	Name of the Jailor	Entry Date and Time	Exit Date and Time	Remark (if any)	Signature of the Jailor		Signature of the Officer in-charge (Guard)	
37	Sakala Kalaa Vallabha	19/12/18 5:00 AM	19/12/18 5:00 PM	—	<i>SN</i>	<i>SN</i>	<i>Spp</i>	<i>Spp</i>
38	Raju	19/12/18 5:00 PM	20/12/18 5:00 AM	—	<i>Raju</i>	<i>Raju</i>	<i>Spp</i>	<i>Spp</i>
39	Sakala Kalaa Vallabha	20/12/18 5:00 AM	20/12/18 5:00 PM	A visitor by name 'Swapna Sundar'	<i>SN</i>	<i>SN</i>	<i>Spp</i>	<i>Spp</i>
40	Raju	20/12/18 5:00 PM	21/12/18 5:00 AM	—	<i>Raju</i>	<i>Raju</i>	<i>Spp</i>	<i>Spp</i>
41	Sakala Kalaa Vallabha	21/12/18 5:00 AM	21/12/18 5:00 PM	—	<i>SN</i>	<i>SN</i>	<i>Spp</i>	<i>Spp</i>
42	Raju	21/12/18 5:00 PM	22/12/18 5:00 AM	—	<i>Raju</i>	<i>Raju</i>	<i>Spp</i>	<i>Spp</i>
43	Sakala Kalaa Vallabha	22/12/18 5:00 AM	22/12/18 5:00 PM	—	<i>SN</i>	<i>SN</i>	<i>Spp</i>	<i>Spp</i>
44	Raju	22/12/18 5:00 PM	23/12/18 5:00 AM	—	<i>Raju</i>	<i>Raju</i>	<i>Spp</i>	<i>Spp</i>
45	Sakala Kalaa Vallabha	23/12/18 5:00 AM	23/12/18 5:00 PM	—	<i>SN</i>	<i>SN</i>	<i>Spp</i>	<i>Spp</i>
46	Raju	23/12/18 5:00 PM	24/12/18 5:00 AM	—	<i>Raju</i>	<i>Raju</i>	<i>Spp</i>	<i>Spp</i>
47	Sakala Kalaa Vallabha	24/12/18 5:00 AM	24/12/18 5:00 PM	—	<i>SN</i>	<i>SN</i>	<i>Spp</i>	<i>Spp</i>
48	Raju	24/12/18 5:00 PM	25/12/18 5:00 AM	—	<i>Raju</i>	<i>Raju</i>	<i>Spp</i>	<i>Spp</i>

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALOORU,
CHENNAATKA.**

Jailor's Records
December 2018

Samarthaes
28/1/19
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALOORU

Sl. no	Name of the Jailor	Entry Date and Time	Exit Date and Time	Remark (if any)	Signature of the Jailor		Signature of the Officer in-charge (Guard)	
49	Sakala Kalaa Vallabha	25/12/18 5:00 AM	25/12/18 5:00 PM	—	SKV	SKV	Sppa	Sppa
50	Raju	25/12/18 5:00 PM	26/12/18 5:00 AM	—	Raju	Raju	Sppa	Sppa
51	Sakala Kalaa Vallabha	26/12/18 5:00 AM	26/12/18 5:00 PM	—	SKV	SKV	Sppa	Sppa
52	Raju	26/12/18 5:00 PM	27/12/18 5:00 AM	—	Raju	Raju	Sppa	Sppa
53	Sakala Kalaa Vallabha	27/12/18 5:00 AM	27/12/18 5:00 PM	—	SKV	SKV	Sppa	Sppa
54	Raju	27/12/18 5:00 PM	28/12/18 5:00 AM	—	Raju	Raju	Sppa	Sppa
55	Sakala Kalaa Vallabha	28/12/18 5:00 AM	28/12/18 5:00 PM	—	SKV	SKV	Sppa	Sppa
56	Raju	28/12/18 5:00 PM	29/12/18 5:00 AM	—	Raju	Raju	Sppa	Sppa
57	Sakala Kalaa Vallabha	29/12/18 5:00 AM	29/12/18 5:00 PM	—	SKV	SKV	Sppa	Sppa
58	Raju	29/12/18 5:00 PM	30/12/18 5:00 AM	—	Raju	Raju	Sppa	Sppa
59	Sakala Kalaa Vallabha	30/12/18 5:00 AM	30/12/18 5:00 PM	—	SKV	SKV	Sppa	Sppa
60	Raju	30/12/18 5:00 PM	31/12/18 5:00 AM	—	Raju	Raju	Sppa	Sppa

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALooru,
CHENNANATKA.**

Jailor's Records
December 2018

S. Sathya C.S.
23/1/19
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALooru

Sl. no	Name of the Jailor	Entry Date and Time	Exit Date and Time	Remark (if any)	Signature of the Jailor		Signature of the Officer in-charge (Guard)	
61	Sakala Kalaa Vallabha	31/12/18 5:00 AM	31/12/18 5:00 PM	—	<i>SKV</i>	<i>SKV</i>	<i>Spp</i>	<i>Spp</i>
62	Raju	31/12/18 5:00 PM	1/01/19 5:00 AM	—	<i>Raju</i>	<i>Raju</i>	<i>Spp</i>	<i>Spp</i>

**MARAPPA AGRAHARA DISTRICT PRISON
BENDAKALOORU,
CHENNANATKA.**

Jailor's Records
January 2019

Somaethal S
28/1/19
OFFICE OF THE SUPERINTENDENT OF
DISTRICT PRISONS,
BENDAKALOORU

Sl. no	Name of the Jailor	Entry Date and Time	Exit Date and Time	Remark (if any)	Signature of the Jailor		Signature of the Officer in-charge (Guard)	
1	Sakala Kalaa Vallabha	1/01/19 5:00 AM	1/01/19 10:00 AM	—	<i>SKV</i>	<i>SKV</i>	<i>Sppa</i>	<i>Sppa</i>
2	Raju	1/01/19 10:00 AM	2/02/19 5:00 PM	—	<i>Raju</i>	<i>Raju</i>	<i>Sppa</i>	<i>Sppa</i>
3	Sakala Kalaa Vallabha	2/01/19 5:00 PM	General Warder deputed till next day 5:00 AM	—	<i>SKV</i>		<i>Sppa</i>	<i>Sppa</i>
4	Raju	3/01/19 5:00 AM	3/01/19 5:00 PM	—	<i>Raju</i>	<i>Raju</i>	<i>Sppa</i>	<i>Sppa</i>
5	Venktesh	3/01/19 5:00 PM	4/01/19 5:00 AM	—	<i>Venk</i>	<i>Venk</i>	<i>Sppa</i>	<i>Sppa</i>
6	Raju	4/01/19 5:00 AM	4/01/19 5:00 PM	—	<i>Raju</i>	<i>Raju</i>	<i>Sppa</i>	<i>Sppa</i>
7	Venktesh	4/01/19 5:00 PM	5/01/19 5:00 AM	—	<i>Venk</i>	<i>Venk</i>	<i>Sppa</i>	<i>Sppa</i>
8	Raju	5/01/19 5:00 AM	5/01/19 5:00 PM	—	<i>Raju</i>	<i>Raju</i>	<i>Sppa</i>	<i>Sppa</i>
9	Venktesh	5/01/19 5:00 PM	6/01/19 5:00 AM	—	<i>Venk</i>	<i>Venk</i>	<i>Sppa</i>	<i>Sppa</i>
10	Raju	6/01/19 5:00 AM	6/01/19 5:00 PM	—	<i>Raju</i>	<i>Raju</i>	<i>Sppa</i>	<i>Sppa</i>
11	Venktesh	6/01/19 5:00 PM	7/01/19 5:00 AM	—	<i>Venk</i>	<i>Venk</i>	<i>Sppa</i>	<i>Sppa</i>
12	Raju	7/01/19 5:00 AM	7/01/19 5:00 PM	—	<i>Raju</i>	<i>Raju</i>	<i>Sppa</i>	<i>Sppa</i>