



THE KERALA LAW ACADEMY LAW COLLEGE,
PEROORKADA, THIRUVANANTHAPURAM.

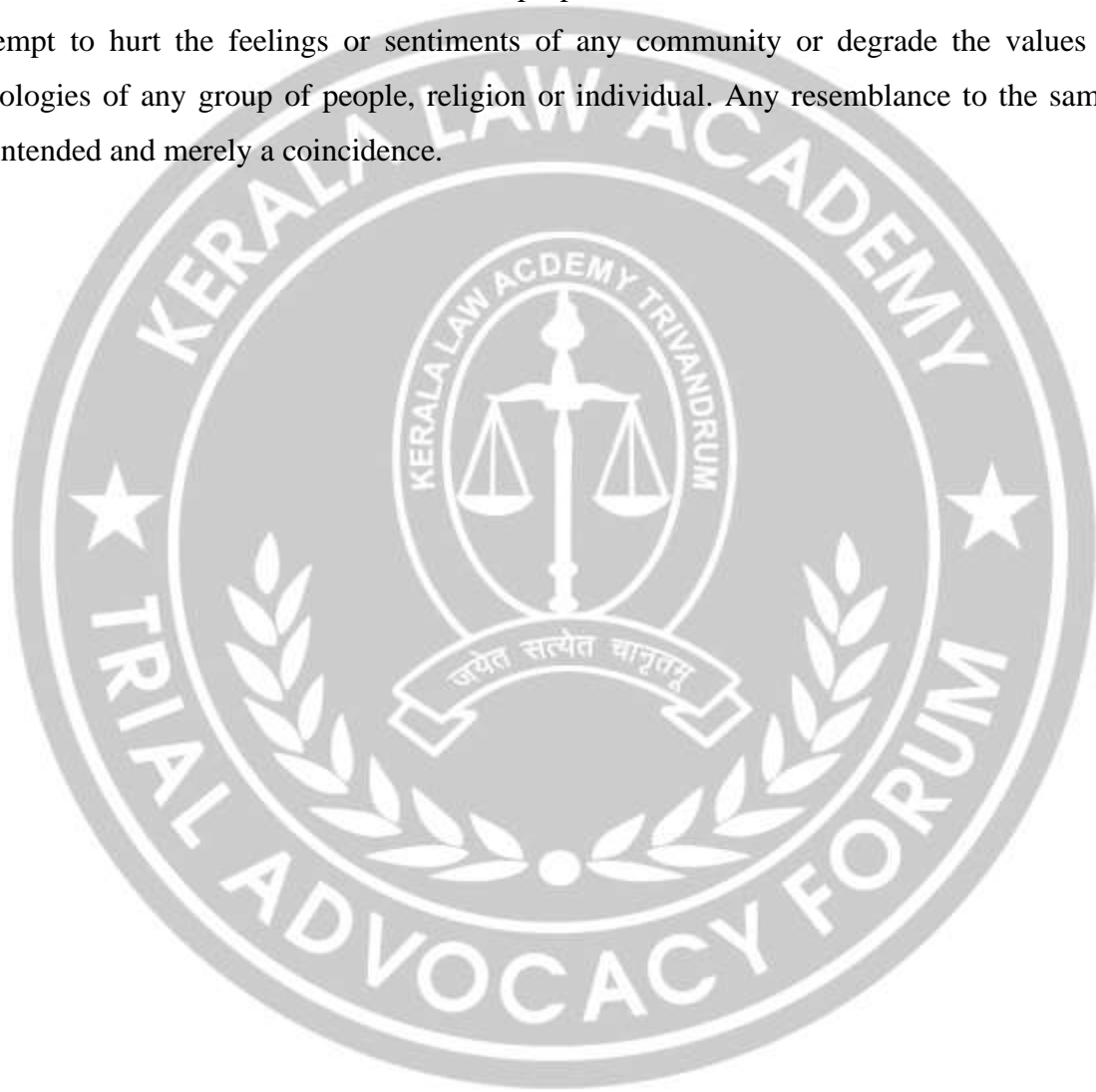
3RD NATIONAL TRIAL
ADVOCACY COMPETITION
(VIRTUAL) 2022

TRIAL PROPOSITION



DISCLAIMER

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FIRST INFORMATION REPORT

(Under Section 154 Cr.PC)

- | | | |
|--|---|--|
| 1. District | : | Ernakulam |
| 2. Police Station | : | Kamalesvaram |
| 3. Year | : | 2021 |
| 4. F.I.R. Number | : | 281/2021 |
| 5. Act | : | IPC Section 300/302 |
| 6. Occurrence of offence | : | 27 th September 2021 |
| 7. Information received at Police station: | : | 27 th September 2021 at 08:15 pm |
| 8. General Diary Reference | : | |
| Entry number | : | 56 at 08:30 pm |
| 9. Type of information | : | Written |
| 10. Place of occurrence | : | locally called '10 th mile', to the west of Police Station along Ernakulam–Kamalesvaram road under beat number 4. |
| 11. Name of complainant | : | Alex Jacob, S/O Jacob
(DOB: 30 th January 1986) |
| 12. Passport | : | Nil |
| 13. Occupation | : | Ward Councillor, Kamalesvaram Municipality. Address, Rose Villa, Ward 6, Kamalesvaram municipality, Kamalesvaram (P.O) |
| 14. Details of accused | : | Not known |
| 15. F.I.R Contents | : | |

Alex Jacob, the informant came to Police Station at about 8.15 pm on 27/9/2021 and informed in writing that a female namely Nisha is seen in a pool of blood, probably dead, within her one room house in the locality called 10th mile along Ernakulam-Kamalesvaram highway. House is closed from inside, which has a window in the rear portion through which he saw the body in the torch light. Body was lying near the closed door. He got alerted on hearing the cry of her mother. Mother saw the house closed from inside when she returned from work and daughter was not

responding even to phone call. Then she cried loud. People of surrounding area has gathered there. He had instructed them not to touch or enter the house before he left for police station to inform the matter.

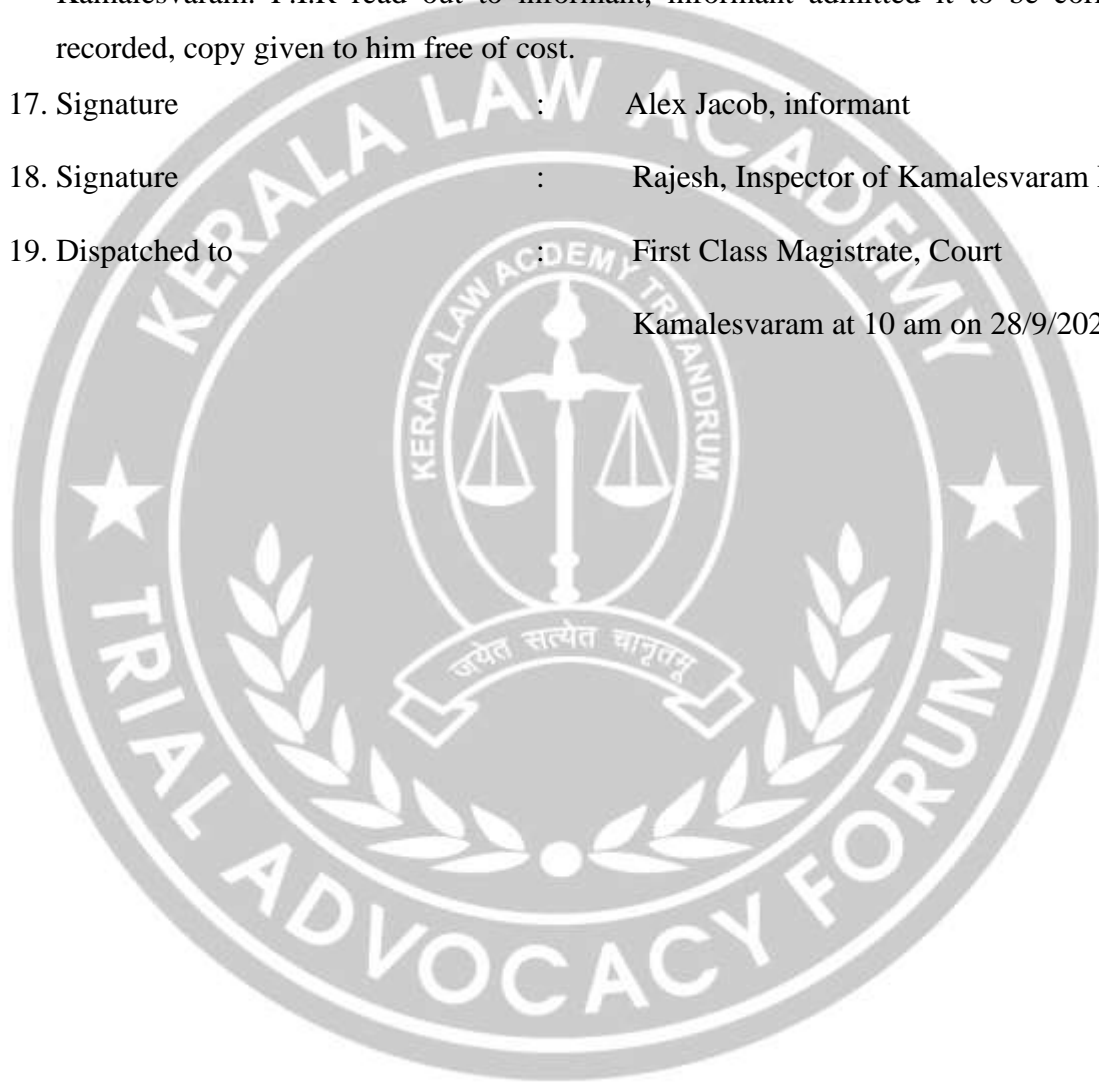
16. Action taken

Inspector, A.S.I. and party proceeded to the occurrence spot at about 9.15 pm on 27/9/2021. Informed Police control room and Dy.SP. Kamalesvaram. F.I.R read out to informant, informant admitted it to be correct, recorded, copy given to him free of cost.

17. Signature : Alex Jacob, informant

18. Signature : Rajesh, Inspector of Kamalesvaram P.S.

19. Dispatched to : First Class Magistrate, Court
Kamalesvaram at 10 am on 28/9/2021.



FIRST INFORMATION STATEMENT

(Under Section 154(1) CrPC)

I am Alex Jacob, Ward Councillor, Kamalesvaram Municipality, residing at Rose Villa.10th mile along Kamalesvaram-Ernakulam Road.

Today on 27 September 2021, when I was in my house at about 8 pm, heard the cry of a woman from across the other side of the road (Ernakulam-Kamalesvaram Road). I rushed there and saw Indira crying who was staying in a one room house with her daughter Nisha. On enquiry she told that when she returned home, the door of the house was closed from the inside and there was no response from her daughter even after calling on her mobile phone. She got panicky and started crying loudly. I went to the backside of the house and looked in through a window in torch light. I saw Nisha lying in a pool of blood near the closed door, I told this to Indira, who then fell unconscious. By the time Neighbours had assembled. I told one of them to take care of Indira. I also instructed those who assembled there not to touch anywhere there. I took my scooter and reached Kamalesvaram police station and gave this in writing to inspector for favour of information and further necessary action

Signed

Alex Jacob



FINAL REPORT**(under S. 173 of Cr.PC)****SUBMITTED BEFORE JUDICIAL FIRST CLASS****MAGISTRATE COURT I- KAMALESVARAM**

- (a) Name of accused : Pradeep, aged 23,
S/o D. Damodaran
Ambika Nivas
Kamalesvaram (P.O)
- (b) Nature of Information : A girl named, Nisha, D/o Indira, was seen murdered
in her house on 27.9.2021 at about 8 pm.
- (c) Name of persons who : CW 1- Alex Jacob, Ward Councillor,
acquainted with the : Kamalesvaram Municipality, who lodged
circumstances of the case : FIR
- CW 2- Rajasekharan, ASI, Kamalesvaram Police
Station, who prepared inquest report
- CW 3 - Soman, the grass gutter who found the
knife used for murder
- CW 4 - Indira, Mother of Nisha, the victim
- CW 5 - Leela, the eye witness who found the
accused escaping after murder
- CW 6 - Sreeram, Village Officer, Kamaleswaram
- CW 7 - Asokan, the blacksmith who made the
knife, which was used for murder
- CW 8 - Rajappan, School Head Master, witness
to recovery of pant and t-shirt
- CW 9 - Stephen, Ward Member, witness to
recovery of pants and t-shirt
- CW 10 - Dr. Jameela, Forensic Surgeon, who
conducted post mortem
- CW 11 - Dr. Vishnu, Forensic science lab scientist
who conducted the DNA test.

CW 12 - Rakesh, Cyber Police Inspector, who inspected the mobile phones of Nisha and accused

CW 13 - Judicial First-Class Magistrate II Kamaleswaram, who conducted the test identification parade

CW 14 – Rajesh, Investigating Officer and Inspector Kamaleswaram Police Station

Defence witnesses

DW 1 - Ambika, Mother of the accused

DW 2 - Jose, Classmate of the accused

DW 3 - Latha, Neighbour of Leela (CW 5)

- (d) Whether any offence appears to have been committed and, if so, by whom : Yes, murder has been committed by Pradeep, the accused
- (e) Whether the accused has been arrested : Yes
- (f) Whether he has been released on bail : No

Accused Pradeep is son of D. Damodaran, a businessman at Kamalesvaram. On 27.9.2021, Alex Jacob (the Ward Councillor of Kamalesvaram Municipality) heard cry of a woman at about 8 PM. It was from Indira, who was residing opposite to his house across the other side of the road in a one room house built of hollow bricks and tin sheets. Alex rushed to the house and saw Indira crying loud. On enquiry she informed that the door of her house is locked from inside and there is no reply from her daughter Nisha, even after calling on her phone. Alex went to the backside of the house and looked in through an open window in torch light. There he saw Nisha lying in a pool of blood on the ground near the door. He told this to Indira, who again started crying loud and fell unconscious. Meanwhile neighbours gathered there. Alex asked one of the neighbours to take care of Indira and told no one should touch anywhere in the house. He said that he is going to the nearby Kamalesvaram Police Station to inform the incident.

Alex went to the Police Station and narrated what he saw. Police asked him to give in writing. Based on his statement Inspector of Police, Rajesh recorded the First Information Report 281/ 2021 of Kamalesvaram Police Station at 9.15 PM. Alex Jacob who reported the information is (CW1).

Inspector and party rushed to the scene of crime. They also looked through the window using torch light. Thereafter broke open the door and entered the house. As per the directions of Inspector Rajesh, Assistant Sub-Inspector Rajasekharan, prepared the inquest report. Rajasekharan is (CW2). Inquest was completed by 11.45 PM.

Thereafter the body was sent to Kamalesvaram Govt. Medical College for post mortem. The crime scene and the surrounding compound were condoned off and police guard was posted.

Inspector and police party started investigation at the crime scene at 8 AM on 28.9.2021. A grass cutter namely Soman was brought to cut grass and bushes around the house using machine. He found a knife just outside the window when the grass and bushes were removed. He called Police and showed the knife to them. It was having blood stains on it. Soman is (CW3). Inspector took the knife and measured it, which was having 7x2 inches blade and 4 inches handle and sealed it in a plastic cover (MO1). When the one room house was searched, police got one mobile phone from the drawer of a table. Indira identified it as the

phone of her daughter Nisha. Indira is (CW4). Police took the mobile phone and sealed inside a plastic cover (MO2).

Thereafter police questioned the neighbours whether they have seen anybody near Nisha's home on 27.9.2021. Leela, who was staying about 50 meters away from the house of Nisha on the opposite side of the road informed police that she had seen a youngster in his twenties coming to Nisha's home and knocking on the door at about 5:15 pm on 27/9/2021. Nisha came out and talked with him for about a minute and both went inside and door was shut from inside. After some fifteen minutes, the man who went inside the room was seen hurriedly walking away from the backside of Nisha's home at about 5.30 PM on 27.9.2021. He walked away through the adjacent rubber plantation and disappeared from her sight. She said that she could identify him if seen again. Leela is (CW5).

A plan of the occurrence site was prepared by Kamalesvaram Village officer as requested by the Investing officer on 28/9.2021. Sreeram, Village officer is (CW 6)

It was evident that the knife was locally made and there was an inscription "D.D" on its blade near the handle. The blacksmiths in and around Kamalesvaram were contacted to know whether it is made by any of them. One Asokan, identified it as made by him and informed "D.D" was an identity of D. Damodaran, a businessman at Kamalesvaram. Asokan is (CW 7).

D. Damodaran, his wife Ambika and son Pradeep were taken to custody. On detailed questioning Pradeep confessed the crime to Police.

His confession was as follows: Indira is a domestic helper in his house. Her daughter Nisha is studying in Govt. Arts & Science College, Kamalesvaram for the First Year Degree in Chemistry. Pradeep is a final semester B.Tech Student in the Govt. Engineering College, Kamalesvaram. Nisha used to come to his home which is about 1 km. from her home. He used to help her in clearing doubts in her study. They were friendly each other. He had a desire to have sex with Nisha, who was good looking and sexy in appearance. He knew she was in need of money since the only income was what her mother got for doing work in his home. He had offered her money for return of sexual favour. She was not interested and refused more than one occasion.

On 27.9.2021, at about 5 PM Nisha's mother was in his home as part of her work. He called Nisha over her mobile to ascertain whether she was in her home. Nisha replied and Pradeep exchanged some pleasantries with her. Then he went by foot to her home. He reached home by around 5.15 PM. He knocked at the closed door. Nisha opened and Pradeep told her that he has come to solve a problem for which she had requested his help. He entered and bolted door from inside. Nisha got panicky. Pradeep told he wanted to have sex with her and would marry her. She refused and tried to open the door to escape. He caught hold of her and closed her mouth with his palm to prevent her making any cry. He had brought a knife from home to threaten her if she were not to consent for sex. Nisha tried to get released and in the struggle with him the knife accidentally cut on her neck causing a deep wound. Blood rushed out and Nisha fell unconscious. Blood was rushing out in huge quantity and she had become motion less.

He didn't open the door fearing somebody may see him from the adjacent road. He saw the window on the backside which was having no bars. He jumped out through that window. He saw a woman watching him who was standing near her gate on the opposite side of the road. The knife had fallen from his hand in the bush when he jumped through the window. He didn't try to retrieve the knife fearing that the lady may notice it.

He walked through the nearby rubber plantation and reached his house by around 6.15 PM. His father was sitting on the sit out. He went to the backside of the house without being noticed by father. He saw blood stains on his t-shirt and pants. He took out pants and t-shirt and hid them in the banana plantation behind the house. He entered through the backdoor, went to his room took bath and changed his dress. No one noticed anything special. But around 9 PM news reached that Nisha was murdered in her house. He thought the dress he left in the banana plantation should not be kept there. When everybody was asleep, he took a shovel and dug a pit and buried the pants and t-shirt.

Next morning about 11 AM police came to his house and after questioning arrested him by 12.30 PM on 28.9.2021. They conducted search and seized his mobile phone (MO3) and two knives with inscription "D.D" over their blade (MO 4) and (MO 5). Retired Head master of adjacent Govt. L.P. School Thomas and teacher Gopakumar are independent witnesses to search and seizure.

Police then took a statement from accused and he stated in it how the pants and t-shirt were hidden and promised to show them to police. He was then led to the banana plantation at about 2.30 PM on 28.9.2021 where he showed the spot where pants and t-shirt were buried. Police dug out the t-shirt and pants. The forensic expert collected blood-stained t-shirt and pants and sealed them in separate plastic cover marking (MO 6) and (MO 7) respectively. A recovery mahazzar of t-shirt (MO 6) and pants (MO 7) were prepared in the presence of independent witness school headmaster Rajappan (CW 8) and 7th ward member Stephen (CW 9). Pradeep was produced before the Judicial First-Class Magistrate I, Kamalesvaram at 10 AM on 29.9.2021. Magistrate remanded him to judicial custody for 14 days.

The body of the postmortem was conducted at 8.30 AM on 28.9.2021 in the Kamalesvaram Govt. Medical College. As per postmortem report Nisha died of a deep cut on her neck which broke her jugular vein. There were no signs of rape. Doctor Jameela, Forensic Surgeon, who conducted the postmortem is (CW10).

The blood-stained knife and blood-stained pants and t-shirt recovered and belonging to accused were send for forensic test. It was revealed in DNA test that the blood stains on knife, pants and t-shirt were that of Nisha. Dr. Vishnu, the forensic scientist who conducted DNA test is (CW 11). Cyber police inspected the phone of accused and Nisha. There was a call to Nisha from accused at 5.00 PM on 27.9.2021. Next and last call was from Indira at 7.55 PM on 27.9.2021 which Nisha did not respond. Cyber Police Inspector Rakesh is (CW12).

A Test Identification Parade was conducted on 1.10.2021 at Sub jail, Kamalesvaram by Judicial First-Class Magistrate II, Kamalesvaram. (CW5) Leela, who claimed that she can identify the accused if seen again was brought to the jail. There were 10 other persons along with accused for the parade. There were no presence of police or jail officials. Parade was conducted in the jail court yard. (CW5) Leela correctly identified the accused. A report was prepared by the Magistrate who is (CW13).

The knife was brought with the intention of killing Nisha if she refused to have sex with him. Accused would have brought a smaller knife if he really wanted to threaten her. If it was an accident, he would have tried to assist her for medical assistance without allowing

her to bleed to death. He tried to destroy evidence by burying his blood-stained pants and t-shirt. This also points towards his guilty intention. From the aforesaid evidences it is proved beyond doubt that accused Pradeep has single handedly committed the murder. There are no other accused in this case. Hence this is a fit case for the prosecution to get the accused convicted for murder under S. 302 of the IPC.

Final report submitted by Inspector Rajesh, Kamalesvaram Police Station (CW14).



DEPOSITION BY WITNESSES

CW 1 - Alex Jacob

I am the Ward Member and Councillor of Kamalesvaram Municipality. On 27.9.2021, at about 8 PM I heard the cry of a woman. On enquiry found that it was Indira, who was residing opposite to my house on the other side of the road. I rushed to there, where Indira said that her house was locked from inside and there was no reply from her daughter Nisha even when tried to contact over her mobile. I went to the backside of the house and looked inside through the window. I saw Nisha, lying in a pool of blood near the locked door. I told this to Indira, who was still crying. She then fell unconscious. By the time neighbours had assembled in large number. I entrusted Indira to one of them to take care and instructed no body to touch anywhere near the house. Then I proceeded to Kamalesvaram Police Station, where Inspector asked me to write the matter in a paper. I wrote and handed over to him. He then prepared the FIR number 281/2021, which I signed, he gave a copy to me. Then I returned to the scene of offence.

CW 2 – Rajasekharan

I am Rajasekharan, ASI, Kamalesvaram Police Station. After preparing FIR 281/2021, I accompanied inspector Rajesh to the crime scene with police party. Inspector after preliminary observations directed me to prepare the inquest report. Inquest was commenced at 9:30 PM and completed at 11:45 PM. After that body was taken by me to Kamalesvaram Govt. Medical College for postmortem. I handed over body to Dr. Jameela, Forensic Surgeon for postmortem at 8 AM on 28.9.2022. Got back the body after postmortem at 11.30 AM, which I handed over to Indira, the mother of Nisha, the victim.

CW 3 - Soman, the grass cutter

One police person came to me at about 8.30 AM on 28.9.2021. He asked me to accompany with grass cutting machine in order to clear some grass and bush. I reached a one room house compound where lot of police men and local people were seen. One police officer asked me to clear the grass and bush around the house. I started clearing and saw a knife with

blood stains near the window on the backside of the house. I reported this to the officer. He came with gloves on his hand, took the knife measured, which was having 7x2 inch long blade and 4-inch-long handle and put it in a plastic cover. He wrote all those details of from cutting of the grass till the sighting of knife in a paper and got my signature on it and also signature of 2 persons and his signature on that paper. Police paid me Rs. 200/- for my work as demanded by me. They permitted me to go and again took my statement after few days.

CW 4 - Indira

I am the mother of Nisha the victim. I am 55 years old. I am working as a domestic helper in the house of Damodaran and Ambika. I have only one daughter, who is studying in the Govt. Arts and Science College at Kamalesvaram. My income is the sole income of the family. My husband has died and do not get any help from relatives. I stay in a one room tin thatched house. On 27.9.2021 when I returned to house around 7:45 pm after the work, house was seen locked from inside. I knocked at the door and called Nisha. She didn't reply. I called her over her mobile. There was no reply. I got scared and started crying loud. Ward Councillor, Alex Jacob came to me. He looked through the window and saw in the torch light my daughter lying in a pool of blood. When he told this to me, I fell unconscious. I do not know what happened later on. Next morning police came to my home and searched and found her mobile phone and after cutting grass found a knife among the bushes. They took them both and my mobile phone to custody. Thereafter they took me to medical college and about 11:30 am gave the body of my daughter after postmortem. Her body was cremated in the public crematorium at about 3 pm on 28.9.2021. Then I heard that Pradeep, S/o Damodaran had murdered my daughter and he was arrested. Afterwards I have no connection with his family. Municipality, through Ward member is now looking after me.

CW 5 – Leela

I am Leela aged 40 years residing about 50 meters away from the house of Nisha on the other side of the road. I was standing near the gate of my house at about 5:15 PM on 27.9.2021. Then I saw a person in his twenties coming to the home of Nisha. He knocked on the door. Nisha opened and after a moment they went inside and locked the door. After some

15 minutes I saw that person who went inside moving away from the backside of the house of Nisha. He saw me. Then he started moving fast and disappeared into the adjacent rubber plantation. I have clearly seen his face. He was wearing a blue pants and yellow t-shirt. This I told to police inspector when he questioned me at about 9 AM on 28.9.2021. By that time police had recovered a knife from the backside of Nisha's house. Police recorded my statement in which I stated about what I have seen on 27.9.2021.

On 1.10.2021, police came and took me in their jeep to Kamalesvaram jail. There I was asked whether I could identify the person whom I saw near Nisha's house at about 5:15 pm on 27.9.2021. There were about 10 persons standing in a line. The 4th person standing from left was the same person whom I saw on that day. I informed this to an officer there. He drew up a report to this effect and got my signature on it. I have not seen this person earlier whom I identified on 1.10.2021.

CW 6 - Sreeram

I am the Village Officer of Kamalesvaram. I was asked by inspector of Kamalesvaram police station to prepare a plan of a one room house and its surroundings on 28/9/2021. I have prepared it on the morning about 9:30 am and handed over to the officer.

CW - 7 Asokan

I am Asokan, aged 46. I am a blacksmith by profession and conducts work in a shed in my house. On 28.9.2021, at about 9.30 AM a police officer came to my house and showed me a knife. There was an inscription "D.D" on the blade near the handle. This was made by me for D. Damodaran, who was a businessman in Kamalesvaram town. I used to put this kind of inscription on knives if the persons wanted. I have put this kind of inscriptions on every knife made for Damodaran and "D.D" has not been inscribed to anybody else. I also don't think any other blacksmiths is having this kind of habit of putting identification marks on knives. Police have recorded a statement from me detailing all these facts.

CW - 8 Rajappan

I am Head master of Govt L.P.School, Kamalesvaram. On 28/9/2021, Inspector of Police, Kamalesvaram police station, requested me in writing to be witness to a recovery in the house of D. Damodaran, who resides near to my school. Police recovered a blue pants and a yellow t-shirt with blood stains which was buried in a banana plantation as shown by Pradeep, s/o Damodaran. Police prepared a report in this regard, which I have signed

CW - 9 Stephen

I am Ward 7 member of Kamalesvaram municipality. On 28/9/2021, Inspector of Police, Kamalesvaram police station, requested me in writing to be witness to a recovery in the house of D. Damodaran, who resides in ward 7. Police recovered a blue pants and a yellow t-shirt with blood stains which was buried in a banana plantation as shown by Pradeep, s/o Damodaran. Police prepared a report in this regard, which I have signed

CW - 10 Dr. Jameela

On 28/9/2021 I conducted post mortem on the body of a woman identified as Nisha by A.S.I. Rajasekharan of Kamalesvaram police station who brought it for post mortem. Post mortem started at 8.30 am and concluded at 11.30 am. A postmortem certificate has been forwarded to Inspector of Kamalesvaram police station.

CW - 11 Dr. Vishnu

I am Dr. Vishnu, Forensic Scientist, Govt. Forensic Science Lab, Trivandrum. Police handed over three sealed parcels with caption MO 1 (Crime 281/2021 of Kamalesvaram Police Station) and MO 6, MO 7 (Crime 281/2021 of Kamalesvaram Police Station) on 20.10.2021.

MO 1 was a knife with 7x2 inches blade and 4 inches handle with blood stains. MO 6 was a yellow-coloured t-shirt with blood stains. MO 7 was a blue colour pants with blood

stains. Both belonged to Crime 281/2021 of Kamalesvaram Police Station. DNA was isolated from the blood stains on MO 1, MO 6 and MO 7. All the DNA isolated belonged to same person. Then the DNA was isolated from the known sample of Nisha, the victim involved in Crime 281/2021. The DNA got from MO 1, MO 6 and MO 7 were tallying with the known DNA of Nisha. Hence the blood stains on the knife, pants and t-shirts were that of Nisha. A report to this effect has been forwarded to Investigating Officer of Crime 281/2021 of Kamalesvaram Police Station and Judicial First-Class Magistrate I, Kamalesvaram.

CW - 12 Rakesh

I am Rakesh, Police Inspector, Cyber Police, Trivandrum handed over 2 sealed packets which was marked as MO 2 and MO 3 of Crime 281/2021 of Kamalesvaram Police Station. MO 2 was mobile phone registered in the name of Nisha Indira and MO 3 was mobile phone registered in the name of Pradeep Damodaran. On verifying the call details a call has come from MO 3 (Pradeep Damodaran) to MO 2 (Nisha's mobile) at 5:05 PM on 27.09.2021, which she has attended. Next call to her phone was at 7:55 PM from her mother's mobile, which she has not attended. Last call from Pradeep's phone is at 5:05 PM on 27.9.2021 to Nisha. Thereafter no calls were received or send from that phone. C.D.R. has been forwarded to Inspector Kamalesvaram Police Station

CW – 13 Magistrate, First Class Judicial Magistrate II – Kamalesvaram

As requested by the investigating officer of Crime 281/2021 of Kamalesvaram Police Station, I conducted a test identification parade on 1.10.2021 in Kamalesvaram Sub Jail. Investigating officer had brought witness Leela for the identification of accused. 10 persons were arrayed in a line for parade at 10 AM. No police or jail officials were present. I asked the witness to identify the person whom she had witnessed on the day of crime. She identified the 4th man standing from left. Police identified him as the accused in the Crime 281/2021. I have made a report and one copy given to the investigating officer and other copy send to Judicial First-Class Magistrate I on whose court case is filed.

CW - 14 Rajesh, Investigating Officer

I am Inspector of Police, Kamalesvaram Police Station and Investigating Officer of Crime 281/2021 of Kamalesvaram Police Station. I have conducted the investigation and submitted the Final Report to Judicial First-Class Magistrate I, Kamalesvaram. The accused had given a statement to me in which he had stated that he can show the place where he had buried his pants and t-shirt. Accordingly, he showed the place in a banana garden behind his house from where the t-shirt and pants were dug out in the presence of two independent witnesses. T-shirt and pants had blood stains, which were handed over to forensic scientist for examination. The examination proved that the blood stains were that of victim Nisha.

Defence witness**DW - 1 Ambika**

I am mother of Pradeep, the accused. Indira, mother of Nisha is a domestic help with me for last seven years. Nisha used to come to my home if she had any business with her mother. Otherwise, she had no connection with my family. On 26/9/2021 Indira had taken a knife from my home with my permission since she had to cut chicken on that day in her home where she did not have suitable knife. This was her practice and would return next day. But on 27/9/2021, she did not return and when asked, she sought excuse for not bringing and promised that she will return it on the next day. The knife Police recovered from Nisha's home premises is the same one which Indira had taken on 26/9/2021 from my house. On the afternoon of 27/9/2021 myself and Indira were in the kitchen till 7 pm preparing Unni Appam for some religious function. Pradeep, my son never came to the kitchen in the afternoon on that day. All knives are kept in the kitchen cupboard. When I searched for him at about 5:15 pm, his father said that he had gone to meet his friend Jose. Later he was in the house at about 6:15 pm and told that he came back from the house of Jose.

DW - 2 Jose

I am a classmate of Pradeep, the accused, in the Engineering College. My house is about a kilometer away from that of Pradeep. On 27/9/2021 Pradeep had enquired in the

college whether he could meet me in the evening in my house. I agreed. He came about 5:15 pm and was with me till 6 pm discussing some problems in our study. he returned at about 6pm

DW - 3 Latha

I reside in the adjacent house of Leela who is witness in this case. Myself and Leela are good friends and used to chat standing near our gates in the evenings. We have seen Pradeep, accused coming to Nisha's house when Indira was not there on more than one occasions. We had cautioned Indira, but she replied Pradeep is son of Damodaran, in whose house she was working as a domestic helper. She also replied that Pradeep came to assist Nisha in her studies and they were like brother and sister. On 27/9/2021 Leela did not tell anything regarding what she later told to police. Leela knew Pradeep very well even before 27/9/2021.

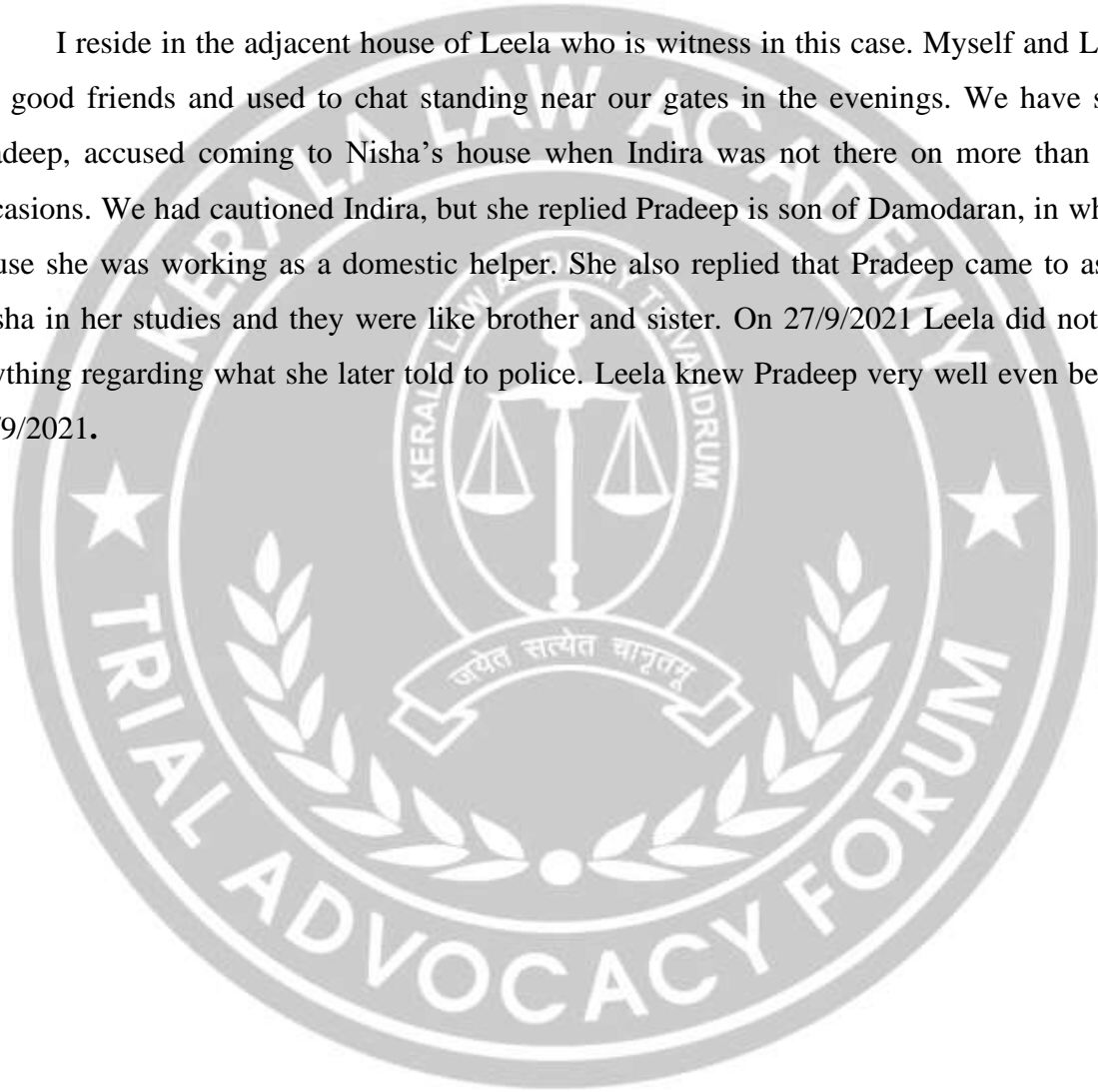


EXHIBIT - 1

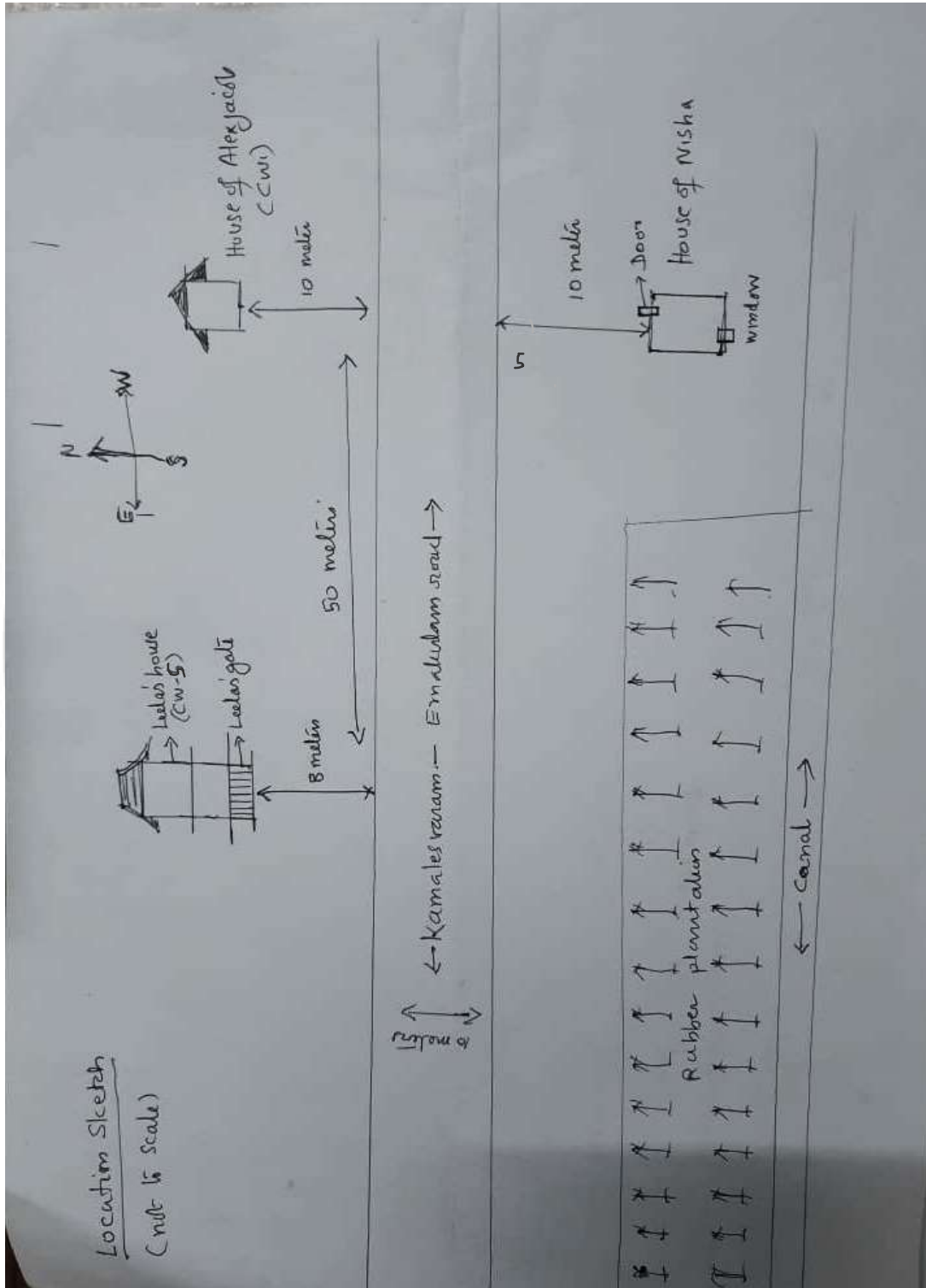


EXHIBIT - 2

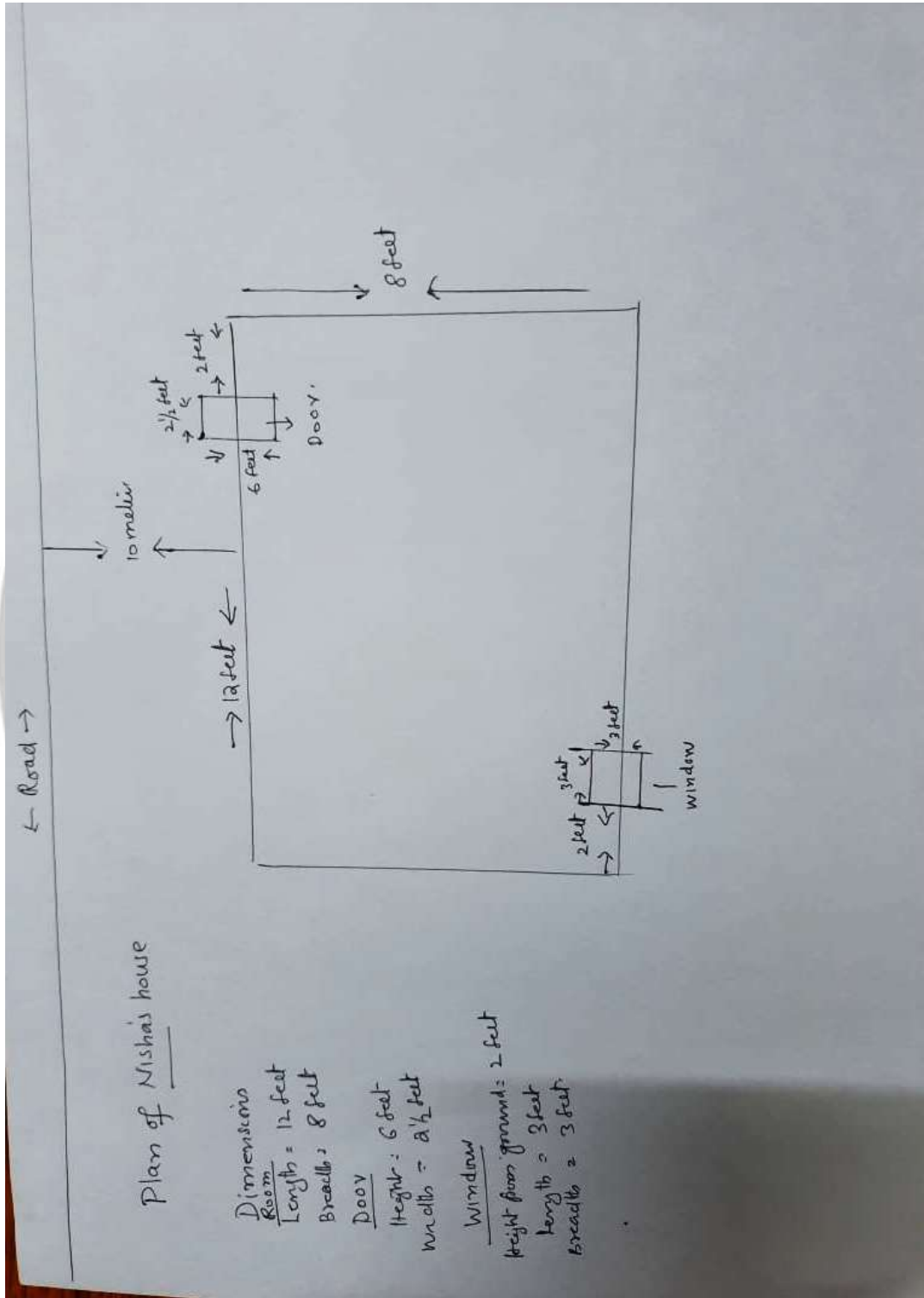


EXHIBIT - 3



EXHIBIT - 4



EXHIBIT - 5



EXHIBIT - 6



EXHIBIT - 7



EXHIBIT – 8 (PHONE OF THE VICTIM)



EXHIBIT - 9



EXHIBIT – 10



EXHIBIT – 11 (PHONE OF THE ACCUSED)



EXHIBIT - 12



EXHIBIT - 13**INQUEST REPORT**

Report of investigation under Section 174 Cr.PC on the body of a person found dead on 27.9.2021.

1. Name, residence of persons composing the Panchayath, if any : Alex Jacob, Councillor
Ward 6, Kamalesvaram Municipality
2. Name of deceased, name, sex, age, fathers' name/ mother's name, residence : Nisha
Female, 20 years
Indira, Nisha Bhavan, Ward-6
Kamalesvaram Municipality
Kamalesvaram (P.O)
3. By whom first found dead, when, where : Alex Jacob, Councillor, Ward 6
About 8 PM on 27.9.2021 inside the house of victim
4. By whom last seen alive, where and when in whose company : By her mother, Indira in her house at about 2PM on 27.9.2021
5. Height, colour and descriptive marks : 154 cm
Medium complexion.
A wound scar on the forehead above left eye brow
6. Married or single : Single
7. State of Corpse, posture, exact state of limbs, eyes, mouth etc. : Lying in a supine position in a pool of blood.
Limbs stretched. Eyes closed. Mouth partially open
- If any wounds : A deep cut with a sharp weapon on the left side of front neck
- List of property found on the corpse : A blue kurta, white brassier, blue underwear. No ornaments
8. Where corpse was found : On the floor of the house, near the door
9. By what relative body is recognized : By Indira, Mother of victim

10. Abstract of evidence of other persons examined : First body seen by Alex Jacob, Ward Councillor. He lodged the FIR
11. Apparent cause of death : Stab injury on the neck and subsequent loss of blood
12. If by violence, apparently by what weapon : A sharp knife
- If any person is suspected : Nil
13. If corpse is not sent for medical examination why : Will be sent for postmortem examination after inquest
14. Sketch, plan of the place body is found, photographs : Enclosed
15. Station House officer's signature, 2 witnesses' signature : Signatures
16. Duration of investigation : Commenced – 9:30 PM
Concluded – 11:30 PM

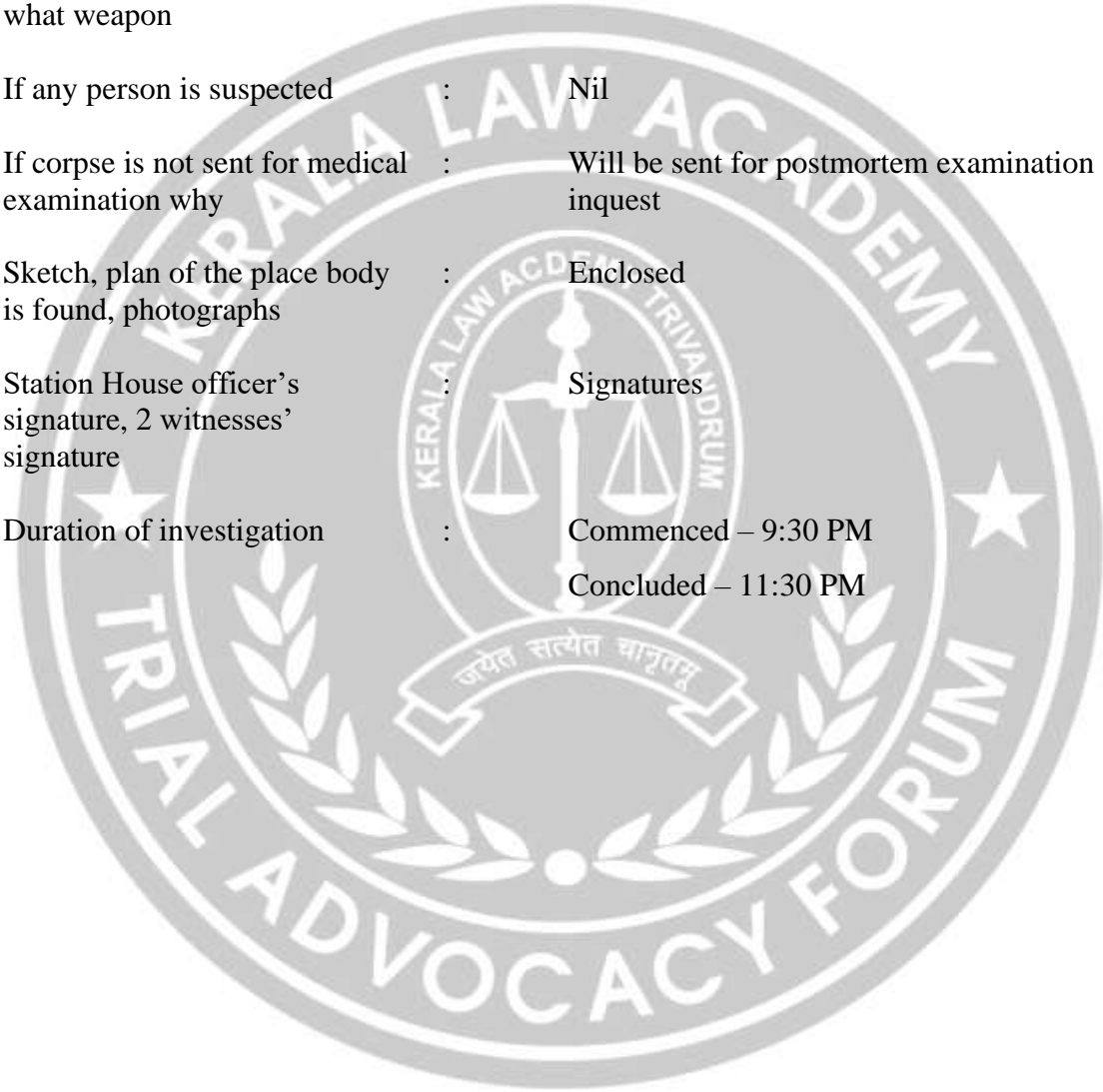


EXHIBIT - 14

Department of Forensic Medicine and
Office of the Police Surgeon
Govt. Medical College, Kamalesvaram

P.M. No.: 472/20201

Date: 28.9.2021

POST MORTEM CERTIFICATE

I, Dr. B. Jameela, Associate Professor, Forensic Medicine, Govt. Medical College, Kamalesvaram certify as hereunder

Regarding the body of a female Nisha, aged 20 years sent by the Inspector of Police, Kamalesvaram Police Station with the requisition dated 27.9.2021, through ASI Rajasekharan of Kamalesvaram Police Station for conducting post mortem examination and giving report.

The body was in charge of ASI Rajasekharan who identified it as that of deceased in Crime No. 281/2021 of Kamalesvaram Police Station. The post mortem examination commenced at 8.30 AM and completed at 11.30 AM on 28.9.2021. Following findings were observed:

Bodies was that of a moderately built and nourished adult female of height 154 cm and weight 55 kg. having a medium complexion. Face was puffy and livid. Eyes were closed. Eyelids were edematous. Conjunctivae congested mouth was partially open. External genitalia, anus, other external body orifices normal. No signs of any sexual assault. Finger nails were blue. Cornea cloudy. Rigor mortis passed off from all part of body. No external sign of decomposition. Body was not refrigerated.

Injuries (Ante Mortem)

Incised wound 2.8 x 1 x 2.1 cm. Oblique on the left side of front of neck. Its lower inner end 2 cm. Outer to Middle and 5 cm above inner end of collarbone. Internal jugular vein was seen clearly cut.

There were no other injuries on the body.

Other findings

Skull was intact. Brain (1286 gm) was pale. Lungs (right 201 gm, left 290 gm) were soft reddish and edematous. Heart (190 gm) was flabby, walls, valves and chambers were normal. Coronaries were patent. Liver (992 gm), spleen (60 gm), kidneys right (72 gm) left (80 gm), pancreas and adrenals were pale, pinkish and soft. Stomach was full with undigested soft rice.

Samples of blood, viscera, vaginal swab, rectal swab were preserved and send for chemical examination. One molar tooth was preserved and handed over to the ASI in a sealed packet for DNA analysis.

Cause of Death

Injury on the neck was a result of stab injury that had gone deep into the fatal area in the neck region leading to the death of victim. The stab injury had gone deep and cut the jugular vein, which is the major blood vessel in the head and neck region, which led to severe hemorrhage leading to death.

The injury could be caused by a sharp weapon like a knife.

The post mortem interval could be between 15-18 hours. In other words, time of death could be 15-18 hours prior to the post mortem examination.

(Sd/-)

Dr. B. Jameela
Associate Professor
Forensic Medicine
Kamalesvaram Govt. Medical College

Problem prepared by - N.K Sasidharan, faculty, KLA