### BEFORE THE CHILD FRIENDLY COURT, BENGALURU URBAN DISTRICT.

Dated this the, 11th day of, November, 2020.

Present: SMT.R.SHARADA,B.A. M.L LIV ADDL., CITY CIVIL & SESSIONS JUDGE, [CCH:55] SITTING IN CHILD FRIENDLY COURT, BENGALURU URBAN DISTRICT.

### SPL CC NO.784/2018

**COMPLAINANT:** State by Bommanahalli Police,

Bangalore City.

(By Learned Public Prosecutor)

-Vs -

ACCUSED: Sharath,

Son of Late. Sadashiva,

Aged 26 Years,

Residing at: SajanKila Grama,

Paivalike Panchayath, Mandeswara

Taluk, Kasargodu District,

Kerala State.

[By Advocate Smt.Jyothilakshmi.N.K.]

1.	Date of commission of offence	From 6.7.2018 to 10.7.2018
2.	Date of report of occurrence of the offence	10.7.2018
3.	Date of arrest of accused	20.09.2018
	Date of release of the accused on bail	06.02.2019
	Period undergone by the	4 months and 14 days
	accused in the judicial	
	custody	

4.	Date of commencement of evidence	1.12.2018
5.	Date of closing of evidence	3.2.2020
6.	Name of the complainant	Sri.Munivenkataswamy, complainant as well as the father of the victim girl.
7.	Offences complained of [As per charge-sheet]	Secs. 363, 366, 376 of IPC, Secs. 5(l), 6 of POCSO Act 2012 and Secs. 9, 10 of Child Marriage Prohibition Act.
8.	Opinion of the Judge	The accused is acquitted.

### **JUDGEMENT**

The Police Inspector, Bommanahalli police station has filed charge-sheet against the accused for the offences punishable under Secs. 363, 366, 376 of IPC, Secs. 5(l), 6 of POCSO Act 2012 and Secs. 9, 10 of Child Marriage Prohibition Act.

2. The brief facts of the prosecution case is that, the complainant who is none other than the father of the victim girl had lodged a complaint stating that, his daughter/victim girl aged 17 years 6 months that on 6.7.2018 in the afternoon at about 1.30 P.M., went out of the house but did not turn up. Inspite of her search, she was not traced out. Hence, the complainant requested to trace out his daughter. On the basis of the said complaint, the complainant police have registered a case in Cr.No.204/2018 for the offence punishable under Sec.363 of IPC and commenced investigation. During the course of investigation, the complainant police have traced out the victim girl on

19.9.2018 and recorded her statement. In her statement, the victim girl has stated that, she came into contact with the accused who Sajanila Grama, Kasargodu District, Kerala was the resident of State, through face book, whatsapp and they used to exchange Thereafter the accused was telling her to love him and she also started to love him. During the year 2017, in the month of November, the accused came to Bengaluru and met her near Ayyappaswamy Temple, at Hongasandra and told that he is in love with her and will marry her. But she told that she is still minor, then also the accused used to talk to her over video call and used to come to Bengaluru to visit her. On 6.7.2018, the accused came to Bengaluru and told that he is near Gavebhavipalya Bus stop and the victim girl to come to the said spot, so the victim girl went to the said spot at 1.30 P.M., by telling her mother that she is going to buy Maggi from shop and came near Garvebhavipalya bus stop and met the accused and the accused told her that he has come to Bengaluru for marrying her and took her forcibly to Kasargodu District, Sajankila Grama, Kerala State and kept her along with him in his house and used to have sexual intercourse with her as a consequence of which she became pregnant of On 18.9.2018 the father of the victim girl came to the 2 months. spot where she was residing and brought her back to Bengaluru. Hence, on the basis of the statement given by the victim girl, the Investigating Officer has inserted Secs. 366, 376 of IPC, Secs. 5(1), 6 of POCSO Act 2012 and Secs. 9, 10 of Child Marriage Prohibition Act and continued with the investigation by arresting the accused on 20.09.2018, taken him to remand and remanded him to the judicial custody. The Investigating Officer has recorded the

statements of the witnesses and after completion of investigation, the Investigating Officer has submitted the charge-sheet against the accused which is numbered as Spl CC No.784/2018.. By the orders of the court dated:06.02.2019, the accused was released on bail.

- 3. As per the provisions of Sec.207 of Cr.P.C, copies of the charge-sheet furnished to the accused. Accordingly charge is framed, read over and explained to the accused, he pleaded not guilty, claims to be tried. Accordingly, the trial is fixed, summons issued to the prosecution witnesses.
- 4. The prosecution has examined 9 witnesses as PWs-1 to 9 and got marked 20 documents as Exs.P1 to 20. As per Sec.33(2) of POCSO Act 2012, the evidence of the victim girl has been recorded in the presence of her mother. Thereafter Statement of the accused recorded under Sec.313 of Cr.P.C. The accused has denied all the incriminating evidence told to him, but he has not examined any witnesses on his behalf and no documents are marked. But, in his statement recorded under Sec.313 of Cr.P.C the accused to question put to the court as to whether he has anything to say, he has stated that, he has married the victim girl and out of the said wedlock, a girl baby is born to them and now the baby is 1 ½ years old.
- 5. Heard the arguments of the learned Public Prosecutor and the learned counsel for the accused. On perusal of the oral and documentary evidence, at this stage, following Points arise for my consideration:

- 1. Whether the prosecution proves that, the accused came in contact through phone with CW2/ victim girl being the daughter of CWS-1 and 5 who is minor in age, residing at House No.2, 6<sup>th</sup> Main, Muniyappa Layout, Hongasandra, coming within the limits of Bommanahalli police station, Bangalore and used to send messages to CW2, and enticed her that he will marry CW2. On 6.7.2018, in the afternoon at 1.30 P.M., the accused secured CW2/ victim girl to Garvehavipalya Bus Stop, Hosur Road, knowing that CW2 was minor girl, the accused by force took her to his house situated at Sajaila Grama, Kasargodu District, Kerala State, thereby the accused has committed an offence punishable under Sec. 366 of IPC?
- 2. Whether the prosecution further proves that, on the same day and at the same time and at the same place, the accused not only took CW2/ victim girl along with him and kept her in his house, but, on 15.7.2018, knowing that CW2 was a minor girl, got married her in Durgaparameshwari Temple, thereby the accused has committed an offence punishable under Secs. 9 and 10 of Child Marriage Restraint Act?
  - 3. Whether the prosecution further proves that, on the same day and at the same time and at the same place, the accused not only took CW2/ victim girl along with him, but kept her in his house at his native place, got married her, and under the guise of marriage, the accused committed rape/ aggravated penetrative sexual assault on her repeatedly, as a consequence of which, the victim girl became pregant thereby the accused has committed an offence punishable under Sec.376 of IPC and Secs. 5(l), 6 of POCSO Act 2012?
  - 4. What Order?

6. My findings on the above points are as under:

Point Nos.1 to 3: In the Negative,

**Point No.4**: As per the final order, for the following:

#### **REASONS**

- 7. **POINT NOS.1 TO 3**:- These Points are inter-linked to each other, hence, they are taken up together for common discussion in order to avoid repetition of facts and evidence.
- 8. During the course of arguments, the learned Public Prosecutor has submitted that in order to prove the prosecution case totally 9 witnesses are examined as PWs-1 to 9 and 20 documents are marked as Exs.P1 to . Though the victim girl and other her parents and other material witnesses have not supported the case of the prosecution but the court has to look into the facts and circumstances of the case along with available evidence of the prosecution to bring home the guilt of the accused. In the present case, the Lady doctor-PW8 who has conducted the pregnancy test of the victim girl has found singe live intrauterine gestation of about 9 weeks 5 days and accordingly she has issued Certificate as per Ex.P10, this shows that the victim girl is pregnant due to the sexual assault caused by the accused. The evidence of prosecution witnesses is not contradicted by the counsel for the Apart from that, according to Sec.29 of POCSO Act, 2012, there is burden casted upon the accused to prove his innocence, but, he has failed to chose to examine any of the witness on his behalf, thereby, the prosecution has proved the guilt of the accused beyond all reasonable doubts and the accused has

to be convicted and he prays to convict the accused in the interest of justice and equity.

- 9. Per contra, the learned counsel for the accused submitted that the prosecution has miserably failed to prove the guilt of the accused beyond all reasonable doubt. The victim girl and her parents and other material witnesses have totally turned hostile to the prosecution case when they were subjected to the crossexamination by the learned Public Prosecutor, these witnesses have denied all the suggestions put to them supporting their chief The victim girl and her parents have deposed that, the evidence. victim girl and the accused are married and they are leading happily marital life and out of the said wedlock, a baby girl is born to them. Even the prosecution has not examined any of the police before this court, which is fatal to the case of the officials Thereby, the accused is entitled for an order of prosecution. acquittal. With these, the learned counsel for the accused prays to acquit the accused in the interest of justice and equity.
- 10. I have perused the oral and documentary evidence furnished by the prosecution before this court. The prosecution in order to prove its case has examined as many as 9 witnesses, out of them, PW1/CW2 is the victim girl, PW2/CW5 is the mother of the victim girl, PW3/CW1 is the complainant as well as the father of the victim girl. PW4/CW7 is the brother-in-law of the victim girl. PW5/CW4 is the witness to the Mahazar as per Ex.P3. PW6/CW6 is the elder sister of the victim girl. PW7/CW20 is the Doctor who has conducted the physical examination of the

accused. PW8/CW19 is the Lady Doctor who has conducted the pregnancy test of the victim girl and PW9/CW21 is the Vice Government PUC College, Madiwala, Bangalore Principal of wherein the victim girl was studying. In support of its case, the prosecution has also produced the following documents: Ex.P1 is the Statement of the victim girl given under Sec. 164 of Cr.P.C before the Learned Magistrate. Ex.P2 is the statement of the victim girl given before the complainant police under Sec. 161 of Cr.P.C. Ex.P3 is the panchanama. Ex.P4 is the statement of PW2 given before the complainant police under Sec. 161 of Cr.P.C. Ex.P5 is the Complaint dated: 10.7.2018 lodged by PW3/ complainant/ father of the victim girl to the complainant police. Ex.P6 is the further Ex.P7 is the statement of PW4given to the statement of PW3. complainant police under Sec.161 of Cr.P.C. Ex.P8 is the statement of PW6 given to the complainant police under Sec. 161 of Cr.P.C. Ex.P9 is the Medical Report of the accused. Ex.P10 is the Scanning Report of the victim girl. Ex.P11 is the 5 scanning images. Ex.P12 is the study certificate of the victim girl. Ex.P13 is the Transfer Certificate of the victim girl. Ex.P14 is the FSL Ex.P15 is the sample seal. Ex.P16 is the Medical Report of the victim girl. Ex.P17 is the Report. Ex.P18 is the Acknowledgement issued by FSL, Madiwala, Bangalore. Ex.P19 is the Call details record and Ex.P20 is the FIR.

11. Now coming to the evaluation of the evidence given by the above stated prosecution witnesses, I would like to take up firstly the evidence by the victim girl who is examined as PW1. PW1 in her evidence before the court has deposed that, CWS-1 and 5 are

her parents and CWS-6 and 7 are her elder sister brother-in-law. She knows the accused and she has identified the accused in the accused platform located in the court hall. She was chatting with the accused over her mother's mobile. The accused is from Kerala State. She had told the accused that she is in love with him through Whatsapp and 2 days thereafter, the accused had agreed to her love. She has further deposed that, on 6.7.2018, she had called the accused to Bangalore and he came to Bengaluru to Hongasandra. Her father had lodged the complaint. She went along with the accused from Hongasandra and from there they both went to Kasargudu and the house of the accused, and there only the mother of the accused was there and there she stayed for 3 months as husband and wife. Her father had lodged a complaint after coming to know the said fact. Thereafter, her father, her uncle, her brother-in-law and 2 others came and brought her and the accused to Bengaluru to Bommanahall police The lady police have not enquired with her. She has sent to the medical examination. Thereafter she was sent before a She has deposed before the Judge to leave her Judge and husband other than this she has not stated anything. The Statement given by her under Sec.164 of Cr.P.C is as per Ex.P1 and her signature is as per Ex.P1(a). She has also identified her signature on the statement given by her under Sec. 161 of Cr.P.C which is as per Ex.P2 and her signature is as per Ex.P2(a). has neither given any statement before the police nor before the Learned Magistrate against the accused. At the time of giving her evidence, she was aged 19 years. At the time of lodging of the complaint by her father, she was aged 18 years. She has

identified her signature on Ex.P3- Mahazar and her signature is as per Ex.P3(a). Other than this, she do not have anything to say. This witness was treated as hostile by the learned Public Prosecutor and subjected her to cross-examination. In her crossexamination, she has denied that, the accused took her to Kasargoodu. She has also denied that, she has read over the contents of Ex.P3 and signed on it. This witness was crossexamined by the learned counsel for the accused. In her crossexamination, she has admitted that, her parents and the family members of the accused were knowing that she and the accused She has also admitted that, the accused are loving each other. has got married to her.

12. PW2 is the mother of the victim girl. In her evidence before the court she has deposed that, CW1 is her husband, CW2 is her daughter, she knows the accused, as the accused is her son-in-law ie., the husband of her daughter/ CW2/ victim girl and she has identified the accused in the accused platform located in the court hall. At the time of giving her evidence, the age of CW2 was 20 years and at the time of giving complaint, the age of CW2 was 19 years and she had studied upto 9th standard and staying at home. Before lodging the complaint ie., about 2 to 3 days before, her daughter and the accused had gone away and they married and her daughter was staying with the accused in his Thereafter, the accused had telephoned to them and had house. informed the said thing and her husband and the police went and brought back her daughter and the accused to Bengaluru to Bommanahalli police station and she had also gone to the police

station, by that time, her daughter and the accused were married and her daughter told that she is living happily and her daughter was 5 months pregnant. This witness was treated as hostile by the learned Public Prosecutor and she was subjected to cross-examination. In her cross-examination, she has denied that, when she enquired with her daughter, her daughter had told that the accused took her daughter to Sajankila Grama, Kasargudu District and got her married and committed rape/ aggravated penetrative sexual assault on her daughter. She has also denied that, as read over to her, she has given the statement. The said statement is as per Ex.P4. This witness was not cross-examined by the learned counsel for the accused.

13. PW3 is the complainant as well as the father of the victim girl. In his evidence before the court, he has deposed that, CW2 is his daughter, CW5 is his wife and CWS-6 and 7 are his 2<sup>nd</sup> daughter and son-in-law. He knows the accused as he is his son-in-law ie., the husband of CW2. Last year ie., from the date of giving his evidence, his daughter was aged 19 years and she had studied upto 10<sup>th</sup> standard and was staying in the home. The accused has not caused any trouble to his daughter. One day, as his daughter was found missing, he had lodged the complaint. The said complaint is as per Ex.P5 and his signature is as per Ex.P5(a). After 5 to 6 days of lodging the complaint, his daughter was secured, but, she has not stated anything against the accused and he has not given any statement. This witness was treated as hostile by the learned Public Prosecutor and he was subjected to cross-examination. He has denied that, he has given statement to

the police as per Ex.P6. But he has admitted that, now his daughter is pregnant. His daughter and the accused are living happily and the accused is living with them and he is running a mobile shop. But he has denied that, due to the said reason, he is deposing falsely. This witness was not cross-examined by the learned counsel for the accused.

14. PW4 is the brother-in-law of the victim girl. In his evidence before the court, he has deposed that, CW2/ victim girl is his sister-in-law. He knows the accused and he has identified the accused in the accused platform located in the court hall. The accused is the husband of CW2. Last year ie., from the date of giving his evidence, his daughter was aged 19 years and she had studied upto 10<sup>th</sup> standard and was staying in the home. The accused has not caused any trouble to his daughter. One day, as his daughter was found missing, CW1 had lodged the complaint. After 5 to 6 days of lodging the complaint, CW2 was secured. but, she has not stated anything against the accused and he has not given any statement. This witness was treated as hostile by the learned Public Prosecutor and he was subjected to crossexamination. He has denied that, he has given statement to the But he has admitted that, now CW2 is police as per Ex.P7. pregnant. CW2 and the accused are living happily and the accused is living in his father-in-law's house and he is running a mobile shop. But he has denied that, due to the said reason, he is deposing falsely. This witness was not cross-examined by the learned counsel for the accused.

- 15. PW5 is the witness to the Mahazar as per Ex.P3. In his evidence before the court, he has deposed that, he do not know CWS-2 and 3. About 1 ½ years back to the date of giving his evidence before the court, Bommanahalli police had secured him to the police station. When Ex.P3 -Mahazar was confronted to him, he has identified his signature on it as per Ex.P3(b). Other than this, he do not know anything. This evidence was treated as hostile by the learned Public Prosecutor and he was subjected to crossexamination. In his cross-examination, he has denied that, on 21.9.2018, himself and CW3 were secured to the police station and the victim girl was there. He has denied that, the accused took the victim girl along with him to SajanKila Grama, Kerala State and there also the police conducted Mahazar. He has also denied that, inspite of knowing the contents of Ex.P3, he is deposing falsely, as the accused is his friend. He has also denied that, he is deposing falsely in order to help the accused.
- 16. PW6 is the elder sister of the victim girl. In her evidence before the court, she has deposed that, she knows the accused and she has identified the accused in the accused platform located in the court hall. The accused is the husband of her younger sister/ victim girl. Now the accused and her younger sister are having a baby and they are living happily. She do not know about lodging the complaint by her father. The accused has not given any trouble to her sister. She has not given any statement to the police. This witness was treated as hostile by the learned Public Prosecutor and she was subjected to cross-examination. In her cross-examination she has dnied that, she has given statement to

the police as per Ex.P8. But she has admitted that, CW2 and the accused are living happily and the accused is living in her father's house and he is running a mobile shop. But she has denied that, due to the said reason, he is deposing falsely. This witness was not cross-examined by the learned counsel for the accused.

- 17. Now coming to the evidence given by the Doctors. Among them, PW7 is the doctor who has examined the accused physically and given Report as per Ex.P9 and the signature of PW7 is as per Ex.P7(a). This witness was cross-examined by the learned counsel for the accused. In the cross-examination, this witness has denied that, she has not examined the accused. She has also denied that, she has issued false certificate at the instance of the police.
- 18. PW8 is the Lady Doctor who has conduct the pregnancy test of the victim girl. In her evidence before the court, she has deposed that, on 19.9.2018 at 8.15 P.M., she conducted the pregnancy test of the victim girl. The victim girl was aged about 17 years 9 months—as on the date of the examination as per ultrasound examination, she found single live intrauterine gestation of about 9 weeks 5 days. Accordingly she has issued certificate as per Ex.P10 under signature is as per Ex.P10(a). The 5 images pertaining to the victim are has Ex.P11 (in total). Thereby this witness as performer her statutory duty. This witness not cross-examined by the learned counsel for the accused. In her cross-examination she has stated that, she do not know whether the victim girl was married or not she has submitted that, she has

mentioned the age of victim girl in Ex.P11 as per the say of the victim girl. But she has denied that, at the instance of police she has issued Ex.P11.

- 19. PW9 is the Vice-Principal of the School wherein the victim girl was studying. In his evidence before the court he has deposed that, on 5.7.2018, he has received Requisition from Bommanahalli police to issue the documents pertaining to the date Accordingly, he has issued the Study of birth of the victim girl. Certificate of the victim girl by verifying the date of birth of the victim girl, in which the date of birth of the victim girl mentioned as 19.12.2000. The said Study Certificate of the victim girl is as per Ex.P12 and his signature is as per Ex.P12(a). The copy of the Transfer Certificate of the victim girl is as per Ex.P13 and his signature is as per Ex.P13(a). Thereby, this witness has performed his statutory duty. This witness was cross-examined by the learned counsel for the accused. In his cross-examination, he has admitted that, he has not seen the date of birth details of the victim girl and as per the Transfer Certificate he has issued Ex.P12. He has also admitted that, as per the instance of the police, he has prepared Exs.P12 and P13.
- 20. Considering the evidence of the above prosecution witnesses, particularly, the evidence of the victim girl and her parents and other material witnesses all these witnesses have totally turned hostile to the prosecution case and they have not supported the case of the prosecution to bring home the guilt of the accused beyond all reasonable doubt that, the accused eloped the

victim girl, took her to his native place at Kerala and confined her in his house and committed rape/ aggravated penetrative sexual assault on her repeatedly, knowing fully well that the victim girl was a minor, as a consequence of which the victim girl became Hence, there is no chain to link the accused with the pregnant. alleged crime. Even the Lady doctor who has examined the victim girl for her pregnancy, has opined that the victim girl was pregnant of 9 weeks and 5 days. But, When the victim girl herself has not supported the case of the prosecution that the accused has committed rape/ aggravated penetrative sexual assault on her, leading to her pregnancy even she has been subjected to crossexamination by the Learned Public Prosecutor at length but the prosecution miserably failed to elicit any single piece of evidence from the mouth of this witness. The Victim girl except identifying her signatures nothing has deposed against the accused to hold that the accused has committed the offence as alleged against him. Even the prosecution has failed to examine the police officials including the Investigating Officer who has filed charge-sheet against the accused which is fatal to the case of the prosecution.

21. During the course of arguments, the learned counsel for the accused submitted that, the accused and the victim girl are married to each other and they are leading happy marital life under one roof and their marriage is also registered. In support of his arguments, the learned counsel for the accused has produced the Marriage Certificate which discloses that the accused and the victim girl have married on 7.7.2019 and their marriage is registered on 14.8.2019. Further the learned counsel for the

accused submitted out of the wedlock of the accused and the victim girl, a baby girl is born to them and now the said baby is 1 ½ years now and the accused is looking after the victim girl and the baby nicely, hence, he prayed to acquit the accused. On looking into the Marriage photo, it discloses that the accused and the victim girl are married and out of the said wedlock, a baby girl is born to them, because of that reason, the parents of the victim girl might have back-traced from their version to see that the future life of the victim girl will not be spoiled. Of course, the presumption under Sec.29 of POCSO Act, 2012 goes against the accused but, the prosecution has to prove its case by furnishing cogent evidence but it failed to do so, thereby, I hold that, the prosecution has not proved the guilt of the accused and the accused is entitled for an order of acquittal. Accordingly, I answer Point Nos.1 to 3 in the **Negative**.

22. In the present case, as per the discussions made by me herein above, the victim girl has deposed before the court that, she has married with the accused and out of the said wedlock, a female baby is born to them and the accused is taking care of her and her child nicely and the accused is living in his father-in-law's house ie., the parental house of the victim girl. Considering these aspects, I find no reasons to award compensation to the victim girl as per the provisions under Rule 9 of POCSO Rules 2020, as such no compensation is awarded to the victim girl.

23. <u>POINT NO.4</u>:-:- In view of my findings on Point Nos.1 to 3 above, I proceed to pass the following:

#### **ORDER**

Acting under Sec.235(1) of Cr.P.C, I hereby acquit the accused of the offences punishable under Sec.366 of IPC, Sec.9 and 10 of Child Marriage Restraint Act and Sec.376 of IPC and Sec. 6 of POCSO Act 2012.

The bail bond and surety bond of the accused stands cancelled.

[Dictated to the Stenographer directly on the computer, corrected carried out and then pronounced by me in the open court on this the 11<sup>th</sup> day of November, 2020]

[R.SHARADA]
LIV ADDL., CITY CIVIL & SESSIONS JUDGE, [CCH:55]
SITTING IN CHILD FRIENDLY COURT,
BENGALURU URBAN DISTRICT.

## **ANNEXURES:**

# Witnesses examined for the prosecution:

PW1	Victim girl	CW2	1.12.2018
PW2	Lakshmamma	CW5	23.1.2019
PW3	Munivenkataswamy	CW1	22.3.2019
PW4	Harish	CW7	22.3.2019
PW5	Siddegowda	CW4	30.3.2019
PW6	Pramila	CW6	19.7.2019
PW7	Dr.Betty Alben	CW20	3.2.2020
PW8	Dr.Sahana	CW19	3.2.2020
PW9	Munivekataramachari	CW21	3.2.2020

# Documents marked for the prosecution:

Ex.P1	Statement of PW1/ victim girl given before the
	Learned Magistrate under Sec. 164 of Cr.P.C
Ex.P1(a)	Signature of PW1/ victim girl
Ex.P2	Statement of PW1/ victim girl given before the
	complainant police under Sec.161 of CrP.C
Ex.P2(a)	Signature of PW1/ victim girl
Ex.P3	Panchanama
Ex.P3(a)	Signature of PW1/ victim girl
Ex.P4	Statement of PW2 given before the complainant
	police under Sec.161 of Cr.P.C
Ex.P5	Complaint dated: 10.7.2018 lodged by the
	complainant/ father of the victim girl/ PW3
Ex.P5(a)	Signature of PW3
Ex.P6	Statement of PW3 given before the complainant
	police under Sec.161 of Cr.P.C
Ex.P7	Statement of PW4 given before the complainant
	police under Sec.161 of Cr.P.C
Ex.P8	Statement of PW6 given before the complainant
	police under Sec.161 of Cr.P.C
Ex.P9	Medical Report of the accused
Ex.P9(a)	Signature of PW7
Ex.P10	Radiology Investigation Report of PW1/victim girl
Ex.P10(a)	Signature of PW8
Ex.P11	Scanning images [5 images]

Ex.P12	Study Certificate issued by Office of the Vice Principal Government Pre-University College High School Section, Madiwala, Bangalore pertaining to PW1/ victim girl wherein PW1/
	victim girl studied showing the date of birth of
	PW1/ victim girl as 19.12.2000
Ex.P12(a)	Signature of PW9
Ex.P13	Transfer Certificate of PW1/ victim girl
Ex.P13(a)	Signature of PW9
Ex.P14	FSL Report [consent marked]
Ex.P15	Sample seal [consent marked]
Ex.P16	Medical Report of PW1/ victim girl
Ex.P17	Report given by CW22-Ravi Head constable 6531 with regard to apprehending of the accused and producing him before the PSI of the complainant police station [consent marked]
Ex.P18	Acknowledgement issued by FSL, Madiwala, Bangalore [consent marked]
Ex.P19	Call Details Record [consent marked]
Ex.P20	FIR [consent marked]

Witness examined, documents, marked for the accused: NIL

[R.SHARADA]
LIV ADDL., CITY CIVIL & SESSIONS JUDGE, [CCH:55]
SITTING IN CHILD FRIENDLY COURT,
BENGALURU URBAN DISTRICT.

#### 11.11.2020

Judgment pronounced in open court: [Vide separate detailed Judgment]

Acting under Sec.235(1) of Cr.P.C, I hereby acquit the accused of the offences punishable under Sec.366 of IPC, Sec.9 and 10 of Child Marriage Restraint Act and Sec.376 of IPC and Sec. 6 of POCSO Act 2012.

The bail bond and surety bond of the accused stands cancelled.

[R.SHARADA]]
LIV ADDL., CITY CIVIL & SESSIONS JUDGE, [CCH:55]
SITTING IN CHILD FRIENDLY COURT,
BENGALURU URBAN DISTRICT.