

CRIMINAL APPEAL

IN THE COURT OF SESSION OF TIRUPATI DIVISION

C.A.NO. _____ OF 1996

C.C.No.250/94... J.M.F.C. of Tirupati

- 1) Rama Rao
- 2) Subba Rao Appellants
- 3) Nageswara Rao (accused)

Versus

State (S.H.O. Police Station) Respondent

(Complainant)

MEMORANDUM OF APPEAL FILLED ON BEHALF OF THE APPELLANTS

(ACCUSED) U/SEC.374 CR.P.C.

The appellants who are the accused '1' to '3' in c.c.No.:250/94 on the file of the learned J.M.F.C. were on 6th July 1996 convicted for alleged offences U/S 448 & 324 I.P.C and sentenced to suffer R.I for '3' months for the offence U/sec 324 I.P.C. Each of the appellants 2&3 were sentenced to suffer R.I for the offence u/sec 448 I.P.C. The sentence of the 1st appellant was directed to run concurrently.

Aggrieved by the conviction and sentence imposed upon each of them, the appellants beg to file this appeal and in doing so raised following among other.

GROUNDS

- 1) The Judgement of the trial court is against Law, weight of evidence and the probabilities of the case.
- 2) The trial court erred in overlooking the contradiction between evidence of pw1 &pw2
- 3) The Trial court failed to take into account that there were no mark of violence at the seen of occurrence
- 4) The trail court failed to see that the motive suggested by the prosecution can be used by the prosecution to foist case against the appellants
- 5) The trail court committed a serious error in not hearing the appellants regarding the sentences
- 6) The trail court erred in not accepting in evidence of Dw's
- 7) In every event the sentence imposed upon each of the appellants is severe and excessive

It is therefore prayed the Hon'ble court to be pleased to set aside the conviction and sentence imposed upon each of the appellants and acquit them at all the charges by allowing the appeal

Advocate for the appellants

(accused)

BAIL APPLICATION

ANTICIPATORY BAIL APPLICATION

IN THE COURT OF THE SESSION JUDGE OF CHITTOOR

Cr.M.P.No.: _____ of 1995

Crime No. 145/95 , U/s 366 of I.P.C

Tirupati East police station

Manohar

s/o Narayana

petitioner

Balaji colony

(accused)

Tirupati

V/s

State

Respondent

(Tirupati East police)

(complaint)

Petition filed on behalf of the petitioner (accused) U/Sec 438 Cr.P.C.:

It is alleged that the petitioner Manohar s/o Narayan aged about 22years has taken away a girl of 17 years by name Nirmala on 15-11-95 with the intention of marrying her. The Tirupati East police who registered cr.No.145/95, U/sec 366 I.P.C are on the look out for the petitioner.

The petitioner submits that he is an innocent person. He under takes to obey conditions that may be imposed by the Hon'ble court and he is ready to provide sureties for his release.

The petitioner will not leave the Jurisdiction of the Hon'ble court and under takes to co-operate with the police by submitting himself for interrogation.

It is therefore, prayed that the Hon'ble court may be pleased to direct the Tirupati east police to release the petitioner on bail in the event of he being arrested in connection with the above crime.

Advocate for the petitioner

(Accused)

PRIVATE COMPLAINT

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF IST CLASS,
TIRUPATI**

K.C.NARAYANA

S/o VARADAYYA

Aged 30 years

Hindu

NALLAMANTKALVA

Cultivator

(with in the Thiruchanoor police station limits)

V/s

K.C.SUNRAMANYAM

S/o VEERA SWAMY

Aged 32 years

Hindu

NALLAMANIKALVA

Cultivator

(with in the Tiruchanoor police station limits)

**PETITION OF COMPLAINT FILED ON BEHALF OF THE COMPLAINANT
U/SEC 448 & 323 I.P.C**

The complainant and the accused are residents of “Nallamanikalva” village with in “THIRUCHANOOR POLICE STATION” limits and both of them are agriculturists. The accused is the son of the senior paternal uncle of the complainant and the accused got themselves divided 5 years ago and since ever they have been in possession and

enjoyment of their respective shares. They were certain misunderstanding regarding the division of joint the complainant and he has been on enimical terms with his complainant.

While so on 26-06-96 at about 8 A.M the accused called complainant and abused him alleging that the waste in the compliment's house was thrown into the compound of the accused. When the complainant took exception the accused entered the house of the house of the complainant and beat him with a stick causing swelling on the back of complainant. The complainant raised the alarm and the neighbor requested the complainant.

The complainant went to TIRUCHANOOR POLICE STATION and presented a report against the accused. The police did not take any action. The complainant came to TIRUPATI and got his injury treated by a "PRIVATEMEDICAL PRACTITIONER" .

The accused had committed offences U/Secs 448 and 323 IPC on account of which the complaint suffered mental agony and bodily pains.

It is therefore prayed that the Hon'ble court may be pleased to take this complaint on file. Summon the accused try him and punish him according to law.

List of witnesses :

- 1) S. Ramayya
S/o. Kondayya
- 2) B. Gangadaram
S/o. Pullaiah
Nallamanikalva

3) The Station House Officer, Tiruchanoor P.S. (to cause the production of complainants report dated 26-6-96)

4) Dr. Amarnath
Medical Practitioner in Tirupati)

Advocate for the Complainant

Complainant

N. Sarada

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VERIFICATION

I the complainant do hereby declare that the facts stated above are true and correct to the best of my knowledge, information and belief.

Station : Tirupati

Complainant

Date :

XXXXXXXXXX

Enclosure : Wound Certificate