

**SESSIONS CASE 764/2023
JUDGMENT
SYNOPSIS**

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**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE,
NEYYATTINKARA.**

Present : **Sri. A.M. BASHEER, ADDITIONAL DISTRICT & SESSIONS
JUDGE.**

Monday the 20th day of January, 2025

30th day of Pousha 1946.

SC NO.764/2023

(C.P.No. 06/2023 of Judicial First Class Magistrate Court-II, Neyyattinkara)
(Crime No.1311/2022 of Parassala Police Station)

Complainant

: State of Kerala, Represented by
the Sub Inspector of Police, Parassala

By Adv. Adv. Sri. V.S. Vineeth Kumar,
Special Public Prosecutor.

Accused

- 1 : Greeshma @ Sreekkutty, D/o Sindhu,
Sreenilayam, Poomballickonam,
Melppaladesom, Deviyodu Village,
Kanyakumari District.
- 2 Sindhu, D/o Savithri, Sreenilayam Veedu,
Poomballickonam, Melppala desom, Deviyode
Village, Kanyakumari District.
- 3 Nirmala Kumaran Nair, S/o Krishnapillai,
Sreenilayam Veedu, Poomballickonam,
Melppala desom, Deviyode Village,
Kanyakumari District, From Souparnika Veedu,
Mekkode desom, Vanniyoor Village,
Vilavankode Taluk.

By Adv. Sasthamangalam S Ajithkumar.

Charge : Offence punishable U/S 302 of IPC.

Plea : Not guilty

Finding : Guilty

Sentence or Order : The accused 1 and 3 are sentenced
as follows:

1. Accused No. 1 is sentenced to undergo rigorous imprisonment for a period of 10 (ten) years and fine of Rs. 1,00,000/- for offence U/S 364 of IPC. In default of payment of fine, she shall undergo Simple Imprisonment for 1 year.
2. Accused No. 1 is sentenced to undergo Rigorous Imprisonment for a period of 5 years and fine of Rs. 50,000/- for offence U/S 328 IPC. In default of payment of fine, she shall undergo simple imprisonment for six months.
3. Accused No. 1 is sentenced to death for the offence U/S 302 of the Indian Penal Code and accordingly the convict be hanged by neck till she is dead. Fine of Rs. 2,00,000/- (Rupees Two lakhs only) is also imposed on the first accused and in default, the fine will be recovered in accordance with the law.
4. Accused No. 1 is sentenced to undergo imprisonment for a period of two years for the offence U/S 203 IPC. No fine is imposed for this offence.
5. Accused No. 3 is sentenced to undergo Rigorous Imprisonment for a period of 3 years for the

offence U/S 201 IPC and fine of Rs. 50,000/- (Rupees fifty thousand only) . In default of payment of fine A3 shall undergo simple imprisonment for six months.

6. The substantive sentence of imprisonment ordered shall run concurrently.
7. Death sentence imposed on accused No. 1 will be subject to confirmation of the Hon'ble High Court of Kerala and for which the proceedings of the case will be forwarded to the Hon'ble High Court.
8. Certified copy of the judgment shall be immediately given to the convict free of cost.
9. The accused 1 and 3 are informed that they can file appeal against the judgment and order on sentence, within a period of thirty days as per Article 115 of the Limitation Act, 1963.
10. On execution of death sentence, the custodial sentence shall lapse.
11. In case sentence imposed on the accused is commuted or remitted by the appropriate authorities, she will be entitled to get set off the period of detention undergone by her.
12. The term sentences imposed as above shall run concurrently and it is allowed to be set off against the substantive term of imprisonment U/S 428 of Cr.P.C.
13. The accused No. 1 is

committed to the Central Prison, Thiruvananthapuram under a warrant in Form No. 40 of Cr.P.C (2nd Schedule) in accordance with Sec. 366 (2) Cr.P.C.

14. All the fine amount , if realised, will be given to father and mother of Sharon Raj . Apart from this I request and recommend District Legal Services Authority to extent assistance by awarding victim compensation to the parents of the victim under Victim Compensation Scheme U/S 357 A CrPC. Soft copy of the Judgement shall be forwarded to DLSA forthwith.

15. A2 is acquitted U/S 235(1) Cr.P.C. Her bail bond stands cancelled and she is set at liberty.

16. The Material Objects produced and marked as M.O.s 1 to 51 shall be retained intact until further orders from the Honourable High Court of Kerala.

Date on which the trial commenced	: 18.03.2024
Date on which trial closed	: 03.01.2025
No. of days the case stood posted for trial	: 40 days. 18.03.2024, 19.09.2024, 23.09.2024, 15.10.2024, 16.10.2024, 17.10.2024, 18.10.2024, 23.10.2024, 24.10.2024, 25.10.2024, 26.10.2024, 30.10.2024, 01.11.2024, 02.11.2024, 04.11.2024, 06.11.2024, 08.11.2024, 11.11.2024, 15.11.2024, 16.11.2024, 21.11.2024, 25.11.2024, 26.11.2024, 28.11.2024, 29.11.2024, 30.11.2024, 02.12.2024, 03.12.2024, 06.12.2024,

09.12.2024, 10.12.2024, 11.12.2024,
12.12.2024, 16.12.2024, 17.12.2024,
21.12.2024, 27.12.2024, 31.12.2024,
31.12.2024, 03.01.2025

This case coming on for hearing on 03.01.2025 and the Court on 20.01.2025 passed the following:

JUDGMENT

This is a case charge sheeted by the Deputy Police Superintendent, Crime Branch, Thiruvananthapuram Rural against accused persons 1 to 3, alleging offence punishable U/Ss. 364, 328, 302, 201, 203 r/w 34 of IPC .

INTRODUCTORY FACTS OF PROSECUTION CASE

2. Greeshma and Sharon Raj fell in love in October 2021. They had agreed to marry each other. While so, the marriage between Greeshma and one Satheesh was proposed, and the engagement of the marriage was conducted on 4.03.2022. Satheesh was in military service. The relationship between Sharon and Greeshma broke up due to this engagement. However, feigning love, Greeshma revived the relationship with Sharon in May, 2022 and made him believe that she would marry him. She also assured him that she will come with him in November.

3. Believing her words, both underwent a marriage ceremony at the J.P. House, Samudayapattu, Parassala. Sharon tied a ceremonial string around Greeshma's neck, and both had sexual intercourse at J.P. House. Thereafter they moved to Vettukadu church. Sharon adorned her forehead with vermilion and took photographs. They moved to Golden Castle Inn, Thripparappu, Tamil Nadu, on 13.07.2022 and 18.07.2022. They checked into a room and had sexual intercourse. They moved to Veli and then to the house of her uncle (A3) at Mekkodu and took their photos.

4. As the date of her proposed marriage with Satheesh came closer, Greeshma had the intention to avoid Sharon. She in fact requested him to break up, but he did not agree to part from the relationship. As she had no other option, Greeshma, with the intention to finish him, started various research works on how to kill him by poisoning, such as how an overdose of paracetamol will work on the internal organs of the human body and how to cause death by such an overdose. Greeshma had earlier made an attempt of murder of Sharon. She mixed paracetamol tablets and dolo tablets in water at a college toilet and kept them in a bottle and hid the contents in her bag. Greeshma enticed Sharon to come to her, and both went to the Kassali store near Arappalli, Thiruvithamcodu.

Greeshma bought two bottles of 'Slice' juice and kept them in her bag. They went to the college of Sharon Raj. Greeshma then moved to the toilet of the reception area of the college. Greeshma mixed the paracetamol and dolo mixture in one juice bottle at the toilet. She gave it to Sharon to take. Due to distaste, however, he did not drink. Greeshma then took the other bottle, and both had the drink. They again had sexual intercourse in August and September at the residential house of Greeshma.

5. She had specific motive to commit murder of Sharon because her marriage engagement with Satheesh was already done, she had gone through a marriage ceremony with Sharon at his house thereafter and also the date for eloping with Sharon as promised came closer. Greeshma, howsoever wanted to eliminate him from her life. She rang him up at 11:02 p.m. on 13.10.2022 from her mobile phone, and they talked for more than one hour. She managed to have sexual talks with him to generate his sexual interest in her. She informed him that nobody will be there in her home on 14.10.2022 and invited him via WhatsApp call and chat on 14.10.2022 in the morning. Thereby she induced him by promising sexual intercourse with her at her home and hence enticed him from J.P. House, Samudayapattu, Parassala, to her house.

6. Greeshma had made preparations to commit the crime by searching via Google about the usage of paraquat content and how it will affect the internal organs of human beings and how to cause death. She had noticed the paraquat content in a kapiq herbicide. Greeshma had in possession of paraquat, brought by her uncle and kept at Sreenilayam, her house. Her mother had bought 'shadanga paneeyam', kashayam powder, from Gayathri Hospital, Poovar, which is also kept at her home. Greeshma prepared a concoction using the kapiq herbicide containing paraquat content in boiled water and also mixed Shadanga paneeyam in it.

7. On 14.10.2022, she continued to chat with Sharon and also made buzzer calls with Sharon in order to entice him and to have sexual intercourse with her. Greeshma, by deceitful means, induced Sharon to proceed from his house and thereby abducted him from his house in order that Sharon may be murdered or may be so disposed of as to be put in danger of being murdered. Believing her words, Sharon proceeded from his house, J.P. House, Parassala, at 10:15 a.m. on 14.10.2022 by his pulsar motorcycle bearing registration number KL 01 CC 3383. His friend, PW2, accompanied him as a pillion rider.

8. After having abducted Sharon from his house at Parassala, with intention of murdering him and before his arrival at Sreenilayam, Greeshma's house at Poovampallikonam, she hid the kashayam so made by her under a cot in her bedroom of her house. As he was getting mobile phone calls from Greeshma while riding, his friend PW2 rode the motorcycle from Malayadi Moovottukonam, and Sharon proceeded as a pillion rider. When his motorcycle passed at Ilanchira junction, mother and uncle of Greeshma were proceeding from the opposite side by a Honda Activa scooter bearing registration number TN 75 H 4115.

9. When Sharon and his friend arrived at Greeshma's house, Sharon went inside her house through the gate, which was kept open by her. His friend waited outside the house with the motorcycle at a short distance. Sharon entered the bedroom of the house. Greeshma made a request again for a break in their relationship, but he was not willing. Quickly, after pretending love, she made a challenge to Sharon to drink a 'kashayam' because on earlier occasions Sharon had mocked her for not taking 'kashayam.' Taking advantage of the earlier situation, Greeshma challenged him to take the 'kashayam' prepared by her. After taking the concoction of kapiq herbicide containing paraquat content, which was kept

beneath the cot earlier, she asked Sharon, after giving him the concoction in a glass in full, saying; “ “മുൻപ് കഷായം കുടിക്കാമെന്ന് ചലഞ്ച് ചെയ്ത് പറഞ്ഞിരുന്നതല്ലേ? ഓ ഇരിക്കൂ, കുടിക്കൂ” Greeshma continued to encourage him to drink a glass full of ‘kashayam.’. Finally he took the kashayam containing kapiq herbicide upon her compulsion. She also gave the ‘frooti’, which she had bought earlier for the distaste to go. She made him drink the poison by deceitful means. Greeshma thereby administered the poison with the intent to cause hurt to his internal organs and to facilitate the commission of murder, knowing it to be likely that she will thereby cause hurt.

10. After having tasted bitter because of the reaction of kapiq herbicide, Sharon vomited it at the toilet of the bedroom of her house. Sharon went out of the house of Greeshma and vomited on the road nearby her house. His friend was staying by the motorcycle near him and Sharon; by riding pillion on that motorcycle, they proceeded to his house. When they reached Vilayanvilakam, they stopped the motorcycle as he wanted to vomit again. While vomiting, his friend noticed that a fluid with a greenish color was coming out of his stomach. When asked what he had from Greeshma’s house, Sharon replied that he took kashayam and juice,

and thereafter he started vomiting. Sharon was very much tired. His friend took him on a motorcycle and proceeded further. When they arrived at Ilanchira junction, Sharon vomited again and informed his friend that Greeshma cheated him.

11. They proceeded again, and when they arrived near the house of Sharon at Samudayapattu, his friend went to his house, and Sharon took the motorcycle to his house. He again had vomiting and loose stools at his house several times and became sick. He was taken to Government Hospital, Parassala, in the evening on 14.12.2022 and from there shifted to Medical College Hospital, Thiruvananthapuram. At about 11:30 p.m. on that day, after giving treatment, Sharon was taken to his mother's house at Valiyathura, situated near to the Medical College. Throughout the night Sharon continued to spit.

12. The next day, 15.10.2022, he was taken to a clinic at Vallakadavu and underwent treatment. On 16.10.2022 he was removed to Fort Taluk Hospital, Thiruvananthapuram, and underwent treatment. Again Sharon was admitted at 6 a.m. on 17.10.2022 at the Medical Intensive Care Unit. After giving few treatments at the ENT wing of the medical college, while undergoing treatment at MICU The kidney function of Sharon Raj

got paralyzed, and he was directed to undergo dialysis. It was detected that poison has entered inside the body of Sharon. PW1, Sharon's brother, and PW3 , another friend of Sharon, and his father, PW92 contacted Greeshma in order to know what the drink given to Sharon was on 14.10.2022 at her house. She misled them informing that it was 'kokilasham kashayam ' bought from Puthenkada Medical Store and the same was prescribed by a doctor. Greeshma gave false information to his brother and added that the label of the Kashayam bottle was torn away and bottle was washed off and thereby suppressed the true facts from them. She did not reveal the concoction given to Sharon Raj on that day.

13. When PW92, his father entered the ICU of the Medical College Hospital at 5:30 a.m. on 22.10.2022, Sharon cried out and revealed to his father that he had sexual intercourse with Greeshma on several occasions at his house, Greeshma's house, and in a hotel. Sharon also told his father that on the night of 13.12.2022 and in the morning on 14.10.2022, Greeshma continued her calls via WhatsApp and chatting and thereby induced him several times to go to her house for sexual intercourse. His father was told that Greeshma made a kashayam challenge, and he drank the

kashayam at her house, and thereafter he developed vomiting and loose stools. Sharon had told his father that he will die.

14. He was cheated by Greeshma because she, howsoever, wanted to eliminate him as engagement between Greeshma and Satheesh was already over on 4.3.2022. He was in love with Greeshma, and as there was no one at her house on that day, she enticed him by deceitful means to go from Parassala to her house so that they could take sexual acts again. Sharon was abducted by deceitful means in order to administer poison. His kidney, liver, lungs, etc., were damaged due to the administration of the poison kapiqu herbicide containing paraquat content, and after having struggled a lot at ICU of Medical College Hospital, even without being able to gulp a drop of water, he breathed his last at 05:55 pm on 25.10.2022.

15. During the course of investigation Greeshma made the Police believe that she gave 'kadalikalpam' ayurveda kashayam and maaza juice to Sharon and she also produced a bottle which was said to have contained kadalikalpam and an empty bottle of 'maaza', and thereby gave false information respecting the offence which she knows to be false and hence committed offence of giving false information . Greeshma, after removing the label containing

the name of the poison , kapiq herbicide, threw the bottle into the rubber plantation .

16. Later, her mother (A2) and uncle (A3), in furtherance of their common intention, knowing that an offence has been committed caused the evidence of the commission of that offence to disappear with the intention of screening the offender, Greeshma, from legal punishment, recovered the bottle thrown by Greeshma. 3rd accused took it from the rubber estate and hid the said bottle beneath a pineapple plant at Ramavarmanchira , Idakkodu village and thereby destroyed the evidence.

17. Case against accused was committed to court of sessions vide order in CP 06/2023 dated 24.02.2023 on the file of Judicial First Class Magistrate Court, Kattakkada.

18. Accused 1 to 3 are on bail. They are represented by a counsel of their choice. When the accused appeared before this court in pursuance of a direction U/S. 209 Cr.P.C., learned Special Public Prosecutor opened his case by describing the charge brought against the accused and stated by what evidence prosecution proposed to prove the guilt of the accused.

19. Upon consideration of records and documents submitted therewith and after hearing the submissions of accused and the

prosecution in this behalf it was found that there is a ground for presuming that accused has committed the offence and hence it was recorded that accused is not entitled to get discharge U/S 227 Cr.P.C.

20. After considering as above and hearing both sides a charge was framed as follows for offence punishable U/Ss 364, 328, 302, 201,203 r/w 34 of IPC .

“Firstly, that first accused among you, on 13.10.2022 and 14.10.2022 had abducted Sharon Raj by deceitful means from his house J.P.House, Samudayapat, Parassala village by Whatsapp chat and thereafter first accused had sexual intercourse with Sharon Raj and also made him drink an ayurvedic decoction (kashayam) with intent to commit murder and thereby you have committed offence punishable U/S 364 of Indian Penal Code and within the cognizance of this Court,

Secondly, that you first accused among you on 14.10.2022 with an intention to finish Sharon Raj caused hurt by means of an ayurvedic concoction laced with pesticide, namely KAPIQ with intent to commit his murder at Sreenilayam, Poomballikonam, Melppala desom, Deviyode Village, Kanyakumari District and thereby committed offence punishable U/S. 328 of Indian Penal Code and within the cognizance of this Court,

Thirdly, that you first accused among you on 14.10.2022 at 10.30 A.M. administered an ayurvedic decoction laced with poison (pesticide, namely KAPIQ) on Sharon Raj, with intent to commit his murder at Sreenilayam, Poomballikonam, Melppala desom,

Deviyode Village, Kanyakumari District and after having his internal organs severely damaged, Sharon Raj succumbed to injuries on 30.10.2022 at Medical College Hospital, Thiruvananthapuram and thereby you have committed offence punishable U/S. 302 r/w 34 of Indian Penal Code and within the cognizance of this Court,

Fourthly, that accused numbers 2 and 3 among you, in furtherance of your common intention on 14.10.2022 at Sreenilayam, Poomballikonam, Melppala desom, Deviyode Village, Kanyakumari District caused disappearance of evidence of offence of commission of murder with intention of screening 1st accused from legal punishment and thereby you accused numbers 2 and 3 committed offence punishable U/S. 201 r/w 34 of Indian Penal Code and within the cognizance of this Court,

Fifthly, that accused numbers 1 to 3, in furtherance of your common intention on 14.10.2022 at Sreenilayam, Poomballikonam, Melppala desom, Deviyode Village, Kanyakumari District, after first accused having committed the murder of Sharon Raj gave false information respecting the murder which you accused persons believed to be false and hence committed offence punishable U/S. 203 r/w 34 of Indian Penal Code and within the cognizance of this Court”

The charge was read over and explained to the accused to which they pleaded not guilty. After hearing both sides, the date of death of Sharon in the charge, ‘thirdly’, is corrected as 25.10.2022 instead of 30.10.2022.

21. Altogether 142 witnesses were cited by the prosecution. PWs 1 to 95 were examined from the side of prosecution. Exts. P1 to P323 were marked. M.O.1 to M.O.51 were also marked. Remaining witnesses were given up by the learned Special Public Prosecutor.

22. After closing the prosecution evidence, incriminating circumstances appeared in evidence were put to the accused enabling them to explain such circumstances u/s. 313 Cr.P.C. They have denied the evidence of ocular witnesses and stated that all such evidences are false. Greeshma filed written statement as follows; She has been in love with Sharon Raj since 2021. She loved Sharon and Sharon loved her for ever. On 4.03.2022 herself and Satheesh got engaged under the pressure of her family. Neither her family nor Sharon's family knew about her relationship with Sharon. They had physical relations many times. They knew that if she told the same at home, the family members would not agree to her marriage with Sharon. So, Sharon and Greeshma decided to elope and get married secretly in November. She had told Satheesh about her relationship with Sharon. Satheesh has realized that Greeshma and Sharon had become inseparable and he spoke positively to Greeshma. Satheesh told her that he would not

do anything to get married and that he did not want to disturb them. On 13.10.2022 Sharon informed her that he wanted to see her. He had initially told that he would meet her from the road and go, but he had come inside the house. When Sharon came home, he was very angry by seeing the engagement album with Satheesh on the bed. Then he checked her mobile phone. After checking the call history of her call to Satheesh on the mobile phone, Sharon lost control. Greeshma had told Sharon that she had already told Satheesh about their relationship and also that Satheesh would help them in this matter, but still Sharon lost control and physically abused Greeshma. After seeing her face, Sharon consoled her. When Greeshma went to the bathroom to wash her face, Sharon took the decoction that she had boiled and cooled for her mother to drink and he drank it. He left then. Later, when Greeshma came to know that he was in the hospital, she kept sending him messages to give him courage and self confidence. Since 18.10.2022, there was no response to the messages. Greeshma had said 'sorry' several times in whatsapp chats because she had caused mental distress to Sharon. On 13.10.2022, in the whatsapp chat Greeshma did not call him to come. Moreover, Greeshma in fact discouraged him saying that she is afraid of his visit at her home. This is a trick

used only as a tool by investigating officer to implicate accused U/S 364 IPC. It is true that she went to Golden Castle Inn with Sharon on 13.06.2022 and 18.07.2022. It is a lie to say that she did the juice challenge and the decoction challenge with Sharon. On 22.08.2022 Greeshma searched for paracetamol because she had fever at that time and was taking paracetamol continuously. The same is evident from the whatsapp chat dated 22.08.2022. Sharon was conscious and oriented while giving his statement to Magistrate. Sharon was more convinced than anyone else and he did not say anything against accused while giving statement to Magistrate. According to accused 1 to 3 they are innocent of the crime.

23. After hearing both sides, I find no reason to believe that accused did not commit the crime and hence found not entitled for acquittal U/S. 232 Cr.P.C. The same was recorded.

24. Accused was called upon to enter on their defence and adduce evidence. No defence evidence was adduced by accused. Exts. D1 to D26 were already marked.

25. Heard learned Special Public Prosecutor and learned Senior Advocate .

26. The points that arose for consideration and determination are:

1. *Whether this court has jurisdiction to conduct trial of the offence alleged by prosecution?*
2. *Whether first accused, abducted Sharon Raj by deceitful means from his house, J.P. House, Samudayapattu, Parassala village on 14.10.2022 with intent to poison him and to commit murder, punishable U/S 364 IPC ?*
3. *Whether first accused with intention to commit murder of Sharon Raj caused hurt to his internal organs by means of an ayurvedic concoction laced with herbicide, namely kapiq on 14.10.2022 at her house , Sreenilayam, Poovampallikonam, Kanyakumari district, punishable U/S 328 IPC ?*
4. *Whether accused had motive to administer poison to Sharon Raj?*
5. *Whether Sharon Raj died of poison said to have been administered?*
6. *Whether 1st accused had the poison in her possession?*
7. *Whether accused had an opportunity to administer the poison to Sharon Raj?*
8. *Whether first accused administered ayurvedic concoction laced with poison, kapiq herbicide, with intention to commit murder, at her house and after having his internal organs severely damaged due to the poisoning, Sharon Raj succumbed to injuries on 25.10.2022 and thereby A1 has committed offence of murder U/S 302 IPC?*

9. *Whether accused numbers 2 and 3, in furtherance of their common intention caused disappearance of evidence of offence of commission of murder with intention of screening first accused from legal punishment, punishable U/S 201 r/w 34 IPC?*
10. *Whether accused 1 to 3, in furtherance of their common intention gave false information respecting the murder committed by first accused, believed it to be false, punishable U/S 203 r/w 34 of IPC?*
11. *Sentence or Order?*

27. **Point No . 1:** It is contended by accused that this court has no jurisdiction to try the offence alleged by the prosecution. Ever since the registration of crime, the same was agitated before various courts by accused. Initially CrI.M.P. 1028/2023 in CP No. 6/2023 was filed by accused before the Judicial First Class Magistrate II, Neyyattinkara seeking return of final report and to submit it before the proper court or refer the case to Hon'ble High Court for deciding the question of jurisdiction of the Magistrate Court to entertain the case. After having heard both sides, and considered the rival contentions it was held that the Magistrate has jurisdiction to commit the case U/S 209 Cr.P.C. to the Court of Sessions.

28. CMP 29/2023 in SC 764/2023 was filed challenging the validity of committal order passed by Judicial first class Magistrate in CP 6/2023. This court vide order dated 11.08.2023 dismissed CMP 29/2023, as not maintainable. Accused moved Hon'ble High Court challenging the order in CMP 1028/2023 on the file of JFCM - II, Neyyattinkara and CMP 29/2023 on the file of this court by which accused raised the question of jurisdiction of trial court to proceed with this case. At the time of hearing both sides submitted before the Hon'ble High Court that the question may be left open and accused may be allowed to raise the same during trial. Resultantly, Criminal M.C. No. 6811 of 2023 was closed by the Hon'ble High Court vide order dated 26.09.2023, granting liberty to accused to raise the question of jurisdiction during trial.

29. Accused moved Honourable Supreme Court seeking the transfer of SC No. 764/2023 on the ground that the offence giving rise to the case , if at all was committed, to the State of Tamilnadu. It is observed by the Hon'ble Supreme Court, "It appears that petitioner had occasion to raise the point of jurisdiction before the Sessions Court; however the challenge was spurned. Thereafter, the petitioner had occasion to move the High Court of Kerala at Ernakulam by filing a criminal miscellaneous petition

bearing criminal M.C. No. 6811/2023. The order dated 26.09.2023 passed on such application reads as follows :

“The above criminal M.C. is filed challenging Annexures 2 and 3 orders by which the petitioners raised the question of jurisdiction of the trial court to proceed with the case. Now both sides submitted that, that question may be left open and the petitioners may be allowed to raise the same during trial. If that be so, this Crl.M.C. itself can be closed allowing the petitioner to raise the question of jurisdiction at the time of trial. Therefore, granting liberty to the petitioners to raise the question of jurisdiction during trial , this Crl.M.C. is closed.”

It is further held by the Hon’ble Supreme Court as follows:

“3. It is clear on the perusal of the aforesaid order that the petitioner give up the challenge before the High Court and sought for permission to raise the same question of jurisdiction in the course of trial which was granted by the High Court. Having failed to obtain orders from the High Court and having abandoned the point of jurisdiction it would be inappropriate to entertain the same question on a transfer petition. Since the High Court has left the question of jurisdiction open to be raised by the petitioner before the Sessions Court, there is no question of petitioner being prejudiced. Transfer, as prayed, would not be expedient in the interest of justice, therefore, this petition stands dismissed.”

30. Accused moved Honourable High Court questioning the committal order and the final report and also the order passed by this court in CMP 81/2023. Accused contended that the committal of the case was without jurisdiction and also contended that investigating officer who filed Final Report did not had the jurisdiction to do so. In the judgment dated 21.1.2024 in CrI.M.C. No. 153/2024, Honourable High Court held that the head of the investigation team who is the Deputy Superintendent of Police of the District Crime Branch, Thiruvananthapuram Rural and who was specifically entrusted to conduct the investigation and to ensure the filing of the final report by the District Police Chief, was competent to file the Final Report, being an officer superior in rank to the officer in charge of the Police Station.

31. Accused moved yet another application before the Hon'ble High Court, TR.P(CrI)No. 28 of 24 for transferring CC No. 319/2023 (Crime No. 1863 /2022 of Nedumangadu Police Station) for conducting trial of both cases together by this Court. But being the act cannot be said to form part of the series of the same transaction to treat one offence as the principal and the other as secondary and both are distinct and different offences committed at

different point of time at different locations, the transfer petition was dismissed.

32. At the time of hearing on charge U/S 227 Cr.P.C. the question of jurisdiction was raised. It was submitted that Section 364 IPC should be deleted and no charge will lie because the alleged offence was committed in Tamilnadu. learned Senior Advocate clubbed the argument with respect to the jurisdiction and maintainability of section 364 IPC, at the time of hearing for discharge U/S 227 Cr.P.C. It was held that the accused are not entitled for a discharge U/S 227 Cr.P.C and charge was framed accordingly. It was found in the order dated 05.03.2024 passed U/S 227 Cr.P.C that this court has jurisdiction to try the offence and the accused are not entitled for a discharge on the ground of lack of jurisdiction and on the ground of non-maintainability of Section 364 of IPC.

33. The question of jurisdiction was again raised by accused at the stage of final hearing. Learned Special Public Prosecutor submitted that this Court has got every jurisdiction. It is submitted that the genesis of the offence, abduction punishable U/S 364 IPC took place within the limit of Parassala Police Station, within the jurisdiction of this Court. PW53, Village Officer, Parassala prepared

Ext.P83 scene plan after seeing the residential house of Sharon from where Sharon Raj was abducted. Ext.P46 mahazar was also prepared for the house, J.P. House, Parassala and marked through PW22, the neighbour of Sharon. PW 22 was present at the time of preparing Ext.P46 mahazar after seeing the house of Sharon and surroundings. The same was prepared on 8.11.2022. He is an attester to the mahazar and identified his signature in Ext.P46. On the same day another mahazar was prepared by the Police after seeing the Pulsar Motorcycle bearing registration number, KL 01 CC 3383 which was kept at the residence of Sharon. The details of RC book and licence of Sharon were also referred to in the mahazar. He identified his signature in the mahazar , Ext.P47. He also identified Ext.P35 . The motorcycle, M.O.7 was produced before court , identified by PW22.

34. Abduction is defined in Section 362 IPC, “whoever by force compels, or by any deceitful means induces, any person to go from any place, is said to abduct that person”. So in order to attract the offence of abduction there should be inducement by deceitful means and inducement must be the going of a person from any place . According to prosecution, A1 Greeshma induced Sharon to move from his house at Parassala by deceitful means, to the house

of A1 Greeshma at Poovampallikonam. U/S 181(2) Cr.P.C. “any offence of abduction of a person may be inquired into or tried by a court within whose local jurisdiction the person was abducted or was conveyed etc.” The abduction took place from the J.P. House , Parassala, which is within the limit of Parassala Police Station, within the jurisdiction of this court. The secretary of the Devicodu grama panchayath, Kanyakumari District , PW42, issued Ext.P75 certificate showing that Sreenilayam house, Poovampallikonam is the place where Greeshma was residing.

35. Moreover, PW1 to PW3 have given evidence in the same line, that Sharon was abducted by Greeshma by inducing him to come to her house at Poovampallikonam by way of whatsapp call and whatsapp messages and also mobile phone calls on 13.10.2022 and 14.10.2022. PW1 has stated in the Ext.P1 FIS filed on 26.10.2022 that A1 by deceitful manner made Sharon Raj to go from his house through inducement and murdered by administering kapiq laced with decoction. PW2 deposed that he had received call from Sharon at 10 a.m. on 14.10.2022 to accompany him to Poovampallikonam. PW2 further stated that he joined Sharon at 10.15 a.m. on his motorcycle when Sharon came to his house. Both Sharon and PW2 were residing at Samudayapattu, within the

jurisdiction of Parassala Police station. A1 had called Sharon at 8:00:30 and 8:14:27, which is proved from the CDR. On 13.10.2022 also A1 had called Sharon and as per P191 (a) cell ID folder, tower location was within the jurisdiction of this Court.

36. As per Ext.P229(a1) series and Ext.P230, whatsapp messages between Sharon and Greeshma and also the evidence of PWs 1 to 3, it is proved that Sharon was at J.P. House , Parassala at 10 a.m. on 14.10.2022. The evidence of PW91 , the Nodal Officer, Reliance Jio Infocom Ltd. And Ext.P191 Cell ID details and tower location details would prove that Sharon was within the limit of Parassala Police Station at the night of 13.10.2022. On that day Greeshma made a lengthy phone call , 1 hour and 7 minutes (4021 seconds) from her house at Poovampallikonam to Sharon who was at his house at Parassala. This call extended upto early hours of 14.10.2022 . This call was admitted by Greeshma while examined U/S 313 Cr.P.C. (Question No. 621). At 9 a.m. on 14.10.2022 Sharon dropped his mother, PW10 to a private firm where she was working and Sharon came back home at Parassala. Ext.P230 messages will show that Greeshma was asking whether he can come at 9 a.m. (Ext.P229(a3)). He had answered in the next message that he has to drop his mother. This will prove the evidence of PW10 that

Sharon dropped her at 9 a.m. on 14.10.2022 , to the firm where she was working. Contemporaneous to the time of journey of Sharon to A1's house, Sharon had called his brother, PW1 Shimon Raj at 10:19:29 a.m., during transit and at that time the tower location was within the limit of Parassala Police Station. The CCTV footages which are described in Exts.P5 and P6 mahazars and also the visuals both images and videos played in the open court would further corroborate the evidence of PWs 1 to 3, PW10 and father of Sharon, PW92 that at around 10 a.m. on 14.10.2022 Sharon was at J.P. House, Parassala. So it is proved from the evidence as discussed above that the genesis of abduction of Sharon Raj by A1 was originated from his house at Samudayapattu. Therefore, U/S 181 (2) Cr.P.C. this court has jurisdiction to try the offence U/S 364 IPC. Point No. 1 is found in favour of prosecution.

37. **Point No. 2:** The point is whether first accused abducted Sharon Raj by deceitful means from his house, J.P. House, Samudayapattu, Parassala village on 14.10.2022 with intention to poison him and to commit murder, punishable U/S 364 IPC. Abduction is defined in Section 362 IPC, "whoever by force compels, or by any deceitful means induces, any person to go from any place, is said to abduct that person". So in order to attract the

offence of abduction there should be inducement by deceitful means and inducement must be the going of a person from any place . An ordinary prudent man can easily understand from the messages on 14.10.2022 that she howsoever wanted to get Sharon on that appointed day and for which, as I have observed earlier, she had enticed and induced him to come to her house as she had deceitful intention in her mind. According to prosecution, A1 Greeshma induced Sharon to move from his house at Parassala by deceitful means, to the house of A1 Greeshma at Poovampallikonam. PW93, investigating officer, explained in the cross-examination that Section 364 IPC was incorporated after it was revealed that Greeshma had by deceitful means enticed Sharon Raj via whatsapp chat and voice calls on 13.10.2022 and 14.10.2022 to come to her house. He had received the CDR containing the voice calls and whatsapp chat between A1 and Sharon on 13.10.2022. Admittedly there is no witness who has seen A1 inviting Sharon Raj to her house. The circumstance that soon before the abduction Greeshma had enticed Sharon is proved by the evidence of PW1 to 3, PW92 and further corroborated and complemented by the evidence of PW88, Nodal Officer, Bharatheeya Airtel Ltd., by producing the call data records in which

Greeshma proved to have called Sharon for 11 minutes at 23:01:58 hours on 13.10.2022 and 4021 seconds at 23:02:21 hours on the same day. Evidence of PW1 to 3, PW10 and PW92 that Greeshma abducted Sharon by deceitful means in order to poison him is further corroborated by the above call data records proved by PW88. It is proved from the evidence of PW93 that there were several whatsapp chats and calls which in fact, as I have observed above, would show that she was very much particular to see Sharon on 14.10.2022 at her house to administer poison and to meet that end **Greeshma cleverly enticed him and through various whatsapp chats she laced the words with love, hiding the poison between the words.**

38. It is argued vehemently by learned Senior Advocate appearing for accused that in fact on 13.10.2022 Greeshma had advised Sharon not to come to her house. This is absolutely not correct because going by hundreds of whatsapp chats on 13.10.2022 and 14.10.2022 she had made earnest effects to bring him from Parassala to her house. Learned Senior Advocate then pointed out that no recorded call is produced showing that Greeshma had enticed him on 14.10.2022. It is in the evidence that there is no recorded calls dated 14.10.2022. Calls cannot be

recorded if it is done via whatsapp, as disclosed above. She did not make any voice call on 14.10.2022. Learned senior Advocate again pointed out that it was Sharon who was asking Greeshma to come to her house repeatedly. PW93 explained that there was several invitations from the side of Greeshma to Sharon by whatsapp messages and she abducted him by deceitful means to her house. It is further argued by learned Senior Advocate that Ext.P211 report was filed by PW93 only to make it appear that he has jurisdiction to investigate this crime. The same was denied by PW93. It is further proved that she reposed confidence by interaction and sexual relation with Sharon and the juice challenge was administered with heavy dose of paracetamol with an intention of slow poisoning. In the second attempt also, on 14.10.2022, kapiq was administered as learnt by research work that it will take 10 days to kill human being with paraquat . Just 52 days after the first attempt and in a hurry to bury him, she moved abruptly which is very much visible in the whatsapp messages. Soon before poisoning there are ten or more messages in minute to bring him to her hand. She offered sex and by deceitful means she succeeded in bringing Sharon to her bedroom. It is proved from the evidence discussed above that Greeshma had abducted Sharon from Parassala and PW93 had

every jurisdiction to investigate this crime after incorporating Section 364 IPC also. It is proved from the evidence of PW93 that he properly conducted investigation of the crime, verified the records, produced the M.O.s and records before court and finally laid charge before court. Nothing was put to PW93 to bring out contradiction or omission in the further statements of PWs 1 to 3 or the statements of CWs 82, 99, 102 and 116.

39. It is argued by learned Special Public Prosecutor that the question of jurisdiction as well as the offence U/S 364 IPC is interconnected because the jurisdiction depends the place from where accused abducted Sharon, which is within the limit of Parassala Police Station. On the other hand , the learned senior advocate submitted that the trial is vitiated because this court lacks jurisdiction to try the offence alleged by the prosecution. According to accused the question of jurisdiction cannot be clubbed with offence U/S 364 IPC. Learned senior advocate further submitted that the lack of jurisdiction is a material irregularity which vitiates the proceedings and U/S 461(I) Cr.P.C. and the offender cannot be tried. I have already found that this court has every jurisdiction because the first accused abducted Sharon from J.P. House,

Samudayapattu , Parassala and therefore, Section 461 or 462 CrPC does not apply.

40. The learned senior advocate argued that the residential house of A1 is the most inappropriate place to administer poison and considering the background of the relationship between Greeshma and Sharon she never had intention to commit murder. Learned Special Public Prosecutor submitted that she had definite intention to commit murder. As I have held earlier, there is a history of unsuccessful attempt on 22.08.2022. On that day Sharon vomited and then he escaped. Paracetamol / dolo is relatively having lesser gravity which will affect the liver and kidney gradually, but she failed in the attempt. She had formed intention on that day to commit murder of Sharon. Again she formed intention to commit murder of Sharon on 13.10.2022 and 14.10.2022 because she had access to paraquat which was very well available at her home. She admitted that she prepared the kashayam and gave to Sharon. It is proved that the kashayam had contained poison which resulted in the medical condition of Sharon. It is also proved that Sharon died of paraquat poisoning. She does not yield much value for the relationship with Sharon because if that is so, she would not have attempted on 22.08.2022 at

Kuzhithura bridge . Till that time she pretended intimacy and it is proved that she had sexual intercourse with Sharon at a resort before that and therefore the back ground of their relationship do not stand in the way of poisoning, as far as the conduct and nature of first accused is concerned.

41. The Village Officer, Parassala, PW53, had visited the residential house of Sharon from where the occurrence of abduction took place and PW53 prepared scene plan as per the request of the investigating officer. The scene plan prepared by him contains the signature and office seal and marked as Ext. P83. The evidence of PW57 will corroborate the evidence of PWs 1 to 3 with respect to the abduction, attempt to commit the offence on 22.08.2022, abduction of Sharon from Parassala to Greeshma's house on 14.10.2022. It is proved by her subsequent conduct after abduction, Ext.P229(k) searches made by Greeshma from her mobile phone, that on 28.10.2022 she made google search how to open back up data in google drive, how to view back up whatsapp messages in google drive, how to view whatsapp messages in google drive, how to retrieve deleted messages on whatsapp and how to retrieve whatsapp chat. The data is important because by that time Sharon died and PW1 lodged FIS before Police and Police had visited the

house of Greeshma and she got information that she will be interrogated in connection with the death of Sharon and her mobile phone will be seized. This is an important circumstance because Greeshma wanted to conceal the evidence of crime. It proves that she had deleted whatsapp messages which will be used by Police to trace the evidence of abduction and poisoning. All the whatsapp messages were deleted by Greeshma and all these were retrieved by PW94. It is proved by Ext.P229(k) that Greeshma deleted objectionable messages and she was eager to know whether Police will seize her mobile, open back up data, retrieve the deleted whatsapp messages and view messages which she deleted to conceal the evidence of crime. It is proved by Ext.P229(k) that she had deleted objectionable messages which were available in her mobile phone and that is why she made google search as to how to retrieve deleted messages on whatsapp. It further proves that apart from Ext.P229(a1 series) and Ext.P230 series, there were number of objectionable messages which were deleted by Greeshma. The circumstance that soon before the abduction Greeshma had enticed Sharon is proved by the evidence of PW1 to 3, PW92 and further corroborated and complemented by the evidence of PW88 by producing the call data records in which

Greeshma proved to have called Sharon for 11 minutes at 23:01:58 hours on 13.10.2022 and 4021 seconds at 23:02:21 hours on the same day. Evidence of PW1 to 3, PW10 and PW92 that Greeshma abducted Sharon by deceitful means in order to poison him is further corroborated by the above call data records proved by PW88. Therefore, from the available inputs it is proved that the genesis of abduction of Sharon Raj by A1 from his house at Samudayapattu is proved by the evidence of PWs 1 to 3, PW10, PW22, PW53, PW69, PW88, PW91 and PW92 and Exts. P1, P46, 83, P191 and P191(a). Exts. P229(a2), P229(a7), P229(a9), P229(a12), P229a(13), P229(a15), P229(a18) and P229(a22). It is proved that Greeshma enticed and compelled Sharon Raj, taking advantage of the fiduciary relationship between the two, with ulterior motive and voluptuous intention to administer poison. The investigating officer has every power to conduct investigation of this crime because Section 364 IPC was committed within the jurisdiction of Parassala Police Station. Hence, for the aforesaid discussion, I find, first accused committed offence punishable U/S 364 IPC. Point number 2 is found in favour of prosecution.

ANALYSIS OF EVIDENCE OF BROTHER, FATHER, MOTHER AND FRIENDS

42. At the outset, I must state that in order to prove a case of poisoning, the prosecution has to establish that accused had in her

possession poison, she had motive to administer poison, she had opportunity to administer poison , deceased died of poison etc. Moreover, being a case resting on circumstantial evidence , the five golden principles will have to be established. The questions whether 1st accused abducted Sharon Raj from J.P. House, Samudayapattu, Parassala by deceitful means in order to poison him on 14.10.2022 at her house, administered poison, Sharon died of poison, Greeshma mislead the investigating officers , her parents involved to screen the offender etc are discussed in detail, answering the points separately hereinafter . What were the intention, motive ,preparation and commission for the overt act of abduction, murder etc. are also discussed after analyzing the evidence. Before that let me elaborate the evidence of PWs1,2,3,10 and 92. I am fully aware of the caution given by the Hon'ble Supreme Court in Shankarlal Guarasilal Dixit case (AIR 1981 SC 765) , that human nature is too willing , when faced with brutal crimes to spin stories out of strong suspicions". (SCC p.44 , para 33) . The Hon'ble Supreme Court has held time and again that between may be true and must be true there is a long distance to travel which must be covered by clear , cogent and unimpeachable evidence by the prosecution before an accused is condemned a convict.

43. Sharon Raj and Rejin (PW2) were close friends. PW2 is working as a money exchange officer at Thiruvananthapuram airport. Both went to the house of Greeshma on 14.10.2022. PW2 deposed that Greeshma had called Sharon several times, and hence Sharon requested his help to go to her house. Sharon dialed him from his number, 9074171590, to Rejin's number, 9567170224, at 10 a.m. on 14.10.2022, seeking his help. Sharon came to PW2's house at 10:15 a.m. by his Pulsar motorcycle. His house is 300 meters away from that of Sharon. Sharon drove the motorcycle in which Rejin was the pillion rider. While driving, Greeshma was calling him again, and hence Rejin drove the motorcycle and Sharon was riding pillion. Normally both will share everything, according to PW2. Sharon had told him that he, along with Greeshma, had sexual intercourse in a room at Thripparappu. That is why she wanted to do it again, and hence he has to meet Greeshma on 14.10.2022. Sharon told him, he deposed, that her uncle and mother had left home, and Sharon has to reach her home urgently. In fact, when Sharon and Rejin arrived at Ilanchira junction, A2 and A3 were proceeding from opposite sides, and they had a glance of Sharon, noticed by PW2. He identified the same persons, her uncle and

mother, in the dock. Rejin knew Greeshma earlier. He identified Greeshma in the dock also.

44. They arrived at 10:30 a.m. at Sreenilayam, Poovampallikonam, where Greeshma was waiting. Rejin deposed that Sharon went there for sexual intercourse with Greeshma. Sharon went inside her house, and PW2 waited outside with the motorcycle. After 20 minutes, Sharon was coming out vomiting. Seeing this, PW2 came near to him by the motorcycle. Sharon vomited on the road at that time. He was very much tired, and Sharon told him that he cannot ride the motorcycle. They proceeded a little bit on the motorcycle. At that time, Rejin was driving. Sharon told PW2 that he wanted to vomit. PW2 noticed a greenish color in his vomit. Sharon told Rejin, PW2 deposed, Greeshma gave him kashayam and juice, which he drank, and he vomited at Greeshma's house, and Sharon also told PW2 that Greeshma cheated him. Even at that time, Greeshma was calling, and he was attending the calls. Sharon had inquired whether she removed the vomit from the house that he vomited earlier. Again, when they reached the Ilanchira transformer, Sharon again vomited, stated by PW2. ISHO, Parassala, PW80 prepared three mahazars for the purpose of this case during the course of

investigation. He identified his signature and the signatures of witnesses in Ext.P7 to P9 mahazars. Ext.P9 is the mahazar prepared after seeing the place near to the house of A1 at Poovampallikonam where Sharon Raj vomited soon after coming out of the house of Greeshma. The places were shown by PW2 to the investigating officer. Ext.P7 mahazar was prepared after seeing the place where Sharon Raj vomited 2nd time at Vilayanvilakam while proceeding by a motorcycle with PW2. Ext.P8 is the mahazar prepared after seeing a place near transformer, Ilanchira junction where Sharon Raj vomited thirdly, while PW2 and Sharon Raj were proceeding by a motorcycle. All the places were residential areas and people used to commute in that area. Learned Senior Advocate put to PW80 in the cross-examination the time taken for travelling from one point to another and also the distance between the two. PW80 replied that it is all about distance between 2-3 kilometres and time around 5-15 minutes. These mahazars were produced to complement the evidence of PW2. After dropping Sharon near his house, PW2 went to his house. Sharon then took the motorcycle to his house, J.P. House.

45. Later, PW2 came to know that Sharon was taken to Government Hospital, Parassala, and from there shifted to Medical

College Hospital, Thiruvananthapuram. He could not see Sharon because Sharon was in the ICU. PW3 called him on 19.10.2022 to inquire about what happened at Greeshma's house. PW2 then disclosed everything as stated above to PW3. According to PW2, Greeshma administered poison to Sharon in the kashayam laced with kapiq because her marriage with one Satheesh was already fixed, and she, howsoever, wanted to avoid him.

46. PW2 gave a statement to the investigating officer. He showed the house of Greeshma where Sharon and Greeshma met together finally. The police had prepared a mahazar after seeing the house. On 3.11.2022 he had already identified A2 and A3 as shown by the police. His evidence is believable because everything stated by him was reproduced by the visuals in the CCTV footage from various places. He deposed that police played CCTV footage on a laptop in which Sharon and PW2 were seen. Ext.P4 is the hard disk that was played in the open court during the trial. The visuals taken at 10:14:36 on Friday, 14.10.2022, as seen in the CCTV footage, were identified by PW2, in which Sharon was riding his motorcycle and PW2 was riding pillion. The said visuals were at Thekkummoodu, and PW2 deposed that both were proceeding to Greeshma's house at that time. The evidence of PW2 that he

dropped Sharon in front of the house of one Alex at around noon on 14.10.2022, was corroborated by the version of Alex, examined as PW5. He saw both proceeding by a motorcycle towards east. He specifically deposed that at 10 a.m. on 14.10.2022 Sharon was seen riding the motorcycle and again at around 12 noon , but this time PW2 was riding the motorcycle and Sharon was riding pillion. PW2 stopped the bike in front of his house, entrusted the bike to Sharon and very slowly Sharon rode the motorcycle and proceeded to his house.

47. In the cross-examination he reiterated that Sharon had called him 58 seconds on 14.10.2022 at 10.03 a.m. This was the call made by Sharon requesting him to accompany Sharon to Greeshma's house. Learned counsel for the accused submitted that as per the CDR produced, both Sharon and PW2 were in different locations. This is not correct. The CDR of PW2 Rejin, Ext.P156(b), is also marked through PW88, Nodal Officer, Bharathiya Airtel, Kerala Circle . He deposed, in page No. 380, Sharon had called Rejin for 58 seconds at 10:03:18 hours on 14.10.2022 and in page No. 381 it is seen that Sharon had called PW2 Rejin for 7 seconds at 11:34:57 hours. He further deposed that the IMEI No. of 9567170224 is 866700049671000. PW91, Nodal Officer, Reliance Jio Infocom also

deposed that Sharon Raj had called PW2 at 10:03:18 hours on 14.10.2022 for 58 seconds. The cell ID No. is 405862022FA24. At that time Sharon was in Kerala Circle, PW91 added. PW91 also deposed that at 11:15:42 hours, Sharon had called PW2 for 25 seconds, and at 11:34:57 hours, Sharon had called PW2 for 7 seconds. When it was put to PW2, he denied the same. These calls were made by Sharon from Greeshma's house. PW2 deposed that at 11:34 a.m., both were in the same location. He stated that he had dropped Sharon at the residence of Greeshma earlier in a similar manner. It was done in September, he added. He had seen Greeshma earlier. He inquired about the reason for vomiting when he saw the green color of the vomit. PW2 felt something fishy. PW2 heard Sharon asking Greeshma over the phone while riding pillion on the motorcycle whether she cleared the vomit from the house. Sharon was not able even to sit on the back seat because by that time he was tired. PW2 dropped Sharon in front of the residential house of ward member Alex and entrusted the bike to Sharon.

48. Learned counsel for the accused submitted that as per the CDR, nothing is seen with respect to the call made by Sharon to Greeshma over the phone. When it was put to PW2, he had no explanation. PW2 denied the call made by Sharon at 11:15 a.m. on

14.10.2022 for 25 seconds, and he further denied that both Sharon and PW2 were at different locations at that time. In the cross-examination, PW2 also stated that Sharon vomited 3 times altogether in his presence. He had told PW3 on 19.10.2022 about the vomiting by Sharon three times and also the fact that Greeshma had given Sharon the concoction laced with poison and also the juice. He further stated that that disclosure was made by him for the first time to PW3. The same was also stated to the investigating officer by PW2. Learned counsel for the accused then submitted that PW2 has not given a statement to the police that he disclosed about the vomiting thrice at various places while coming back home after visiting Greeshma's house. According to PW2, when it was put to him, he had given such a statement to the police. However, he would admit that he did not go to his house while dropping near his home on 14.10.2022, for which he explained that Sharon's family members do not know that PW2 accompanied Sharon. PW2 denied the suggestion put to him that he gave a statement to police that Sharon vomited thrice while going back home at three places, only at the instance of police.

49. The brother of the victim, PW1, is an Ayurvedic doctor by profession. He received a call at 10:15 a.m. on 14.10.2022 from

Sharon while he, along with his father, was at the maternal home at Valiyathura. Sharon informed his brother that he is going to Greeshma's house to collect a record book. Sharon came back home at Parassala at around 12 noon, and at that time he was very much tired. He was not even able to park the vehicle properly on the stand. When he inquired about the reason, Sharon told him that Greeshma gave him frooti, and thereafter Sharon developed vomiting and loose stools. PW1 deposed that Sharon had vomiting and loose stools at the house at Parassala also. Hence, PW1 and his father took Sharon to Government Hospital, Parassala. The loose stools were black in color. The same was informed to the doctor. The doctor told him that it may be due to internal bleeding. The doctor referred him to the Medical College Hospital, Thiruvananthapuram. Sharon was removed to Medical College Hospital, Thiruvananthapuram, in an ambulance. He was admitted in casualty. A lab test was done. The result of the test came at 11 p.m. However, the test results were normal. Sharon was discharged and brought to her maternal home at Valiyathura. However, Sharon developed uneasiness. Sharon could not sleep. PW1 noticed that his tongue and lips were torn. On 15.10.2022, PW1 showed Sharon to an ENT doctor. He gave medicines. PW2 also examined the oral

cavity of Sharon. The mouth was completely damaged, and he was not able to drink water. He was again taken to Fort Taluk Hospital, Thiruvananthapuram, on 16.10.2022. The doctor gave him medicines. They came to the house at Valiyathura. The condition of Sharon got worse. The tearings were enlarged on his lips. He was spitting a liquid continuously. Again at 6 a.m. on 17.10.2022, Sharon was taken to Medical College Hospital, Thiruvananthapuram. He was examined at casualty. On verifying the records, everything was abnormal. The doctor advised him to undergo dialysis. It was done on the same day. The doctor disclosed that poison had entered inside the body of Sharon and that it is to be investigated. He was admitted to the ICU. PW1 contacted PW2 over the phone seeking information about what happened on 14.10.2022. PW2 informed that at 10 a.m. on 14.10.2022, as per the request of Sharon, PW2 accompanied him to the house of Greeshma at Poovampallikonam. PW2 further informed PW1 that Sharon entered inside the house of Greeshma, and he waited at a short distance outside her house. Sharon spent 20 minutes inside the house of Greeshma, and then he came out. PW2 was informed by Sharon that he vomited inside the house of Greeshma, after having drunk a kashayam, stated PW1.

50. PW1 explained the history to Dr. Aruna on 17.10.2022 and then the Doctor intimated the matter to Medical College Police. Judicial First Class Magistrate came and recorded statement of Sharon on 20.10.2022. On 22.10.2022 his father was allowed to see Sharon at ICU at Medical College Hospital. His father came back crying and said that Sharon was telling, he would die. Father further informed PW1 that Greeshma and Sharon had on several occasions met together and lived as husband and wife. According to PW1, father informed him that Greeshma abducted Sharon by deceitful means with an offer to sexual intercourse with her via whatsapp chat and whatsapp call on 13.10.2022 and 14.10.2022. PW1 deposed , Sharon told his father that Greeshma had given him a concoction mixed with something dangerous and thereafter he developed the illness such as loose stools and vomit.

51. Immediately thereafter, PW1 contacted from his mobile number, 7293112659, to the mobile number of Greeshma, 8925888533, and asked which kashayam was given to Sharon to drink. Greeshma replied to PW1 that it was kokilasham kashayam, and frooti was also given as it tasted bitter for him. PW1 then asked for the photograph of the kashayam bottle, the prescription of the doctor, and the name of the doctor who prescribed the medicine.

Greeshma mislead PW1 saying that she destroyed the label and the bottle was washed by her mother. When PW1 asked to give him at least the cap of the bottle, Greeshma replied that it is not with her. Subsequently, she informed him that she does not know the name of the doctor, and in fact, there was no prescription.

52. According to PW1, the marriage engagement between a soldier, Satheesh and Greeshma was already done, and thereafter Greeshma, howsoever, wanted to eliminate Sharon. He added that to meet that end, Sharon was abducted from his house at Parassala to her house, gave him kashayam under the guise of kashayam challenge mixed with kapiq herbicide, and Sharon was killed by her by deceitful means. He deposed that his house is situated within the limit of the Parassala Police Station. The first information statement given by him to police is marked as Ext.P1. According to PW1, Sharon was very healthy before this occurrence. PW72, CPO of Parassala Police Station deposed that at 8.30 a.m. on 26.10.2022 PW1 came to the Police Station and gave him statement. It was reduced to writing by PW72. He identified his signature and also the signature of PW1 in Ext.P1. It was PW69, the Grade S.I. of Parassala Police Station and Crime Record Officer who registered this Crime U/S 174 Cr.P.C. The statement of Sharon Raj was

recorded by SCPO 5529, Binu Kumar who was in G.D. charge on that day. The FIS was entrusted to PW69 who registered FIR on 26.10.2022 and marked as Ext.P106.

53. He produced the dresses worn by Sharon on 14.10.2022 when he visited Greeshma on that day, such as a shirt, pants, a handkerchief, underwear, a bag, and a record book. He identified the material objects produced by him to the Rural S.P., Thiruvananthapuram, on 3.11.2022. The packets containing material objects were opened on permission, shown to the witness in the box, and he identified the material objects. The shirt of Sharon, M.O.1, the pants, M.O.2, the underwear, M.O.3, and the record book, M.O.4, were properly identified by PW1. Further, he also produced the bed sheet, pillow cover, the dhoti, a plastic cover for spitting, and a shirt, which were used by Sharon while he was taken to Medical College Hospital, Thiruvananthapuram. He identified the same in the box. He specifically identified M.O.31 mask, M.O.32 kerchief, M.O.33 bag, M.O.34 shirt, M.O.35 dhoti, M.O.36 series three bedsheets, M.O.37 pillow cover, M.O.38 the cover used to spit, and M.O.39 piece of kerchief, which were worn by Sharon at the time when he was taken to the hospital and subsequently produced before the police. He produced the mobile

phone used by Sharon, identified it, and marked it as M.O.5. The SIM card of that phone was seen affixed on the reverse side of the phone, identified by PW1 and marked as M.O.5(a). He deposed that no change was effected to the phone and SIM card, and to that effect, he had issued a Section 65B certificate. The marking of the certificate was opposed by the learned counsel of the accused, stating that PW1 was not competent to issue the certificate. The certificate was marked as Ext.P2, subject to the above objection.

54. PW1 produced 8 records to police containing the treatment details of Sharon. The police had prepared the scene mahazar of the house where Sharon resided at Parassala. PW1 produced the Pulsar motorcycle bearing registration No. KL 01 CC 3383 and its records, which were used by Sharon to visit the house of Greeshma on 14.10.2022. A mahazar was prepared for the purpose. He identified the voice chats between Greeshma and Sharon. The voice chat was played on the laptop by the police. A mahazar was prepared for the same. He was an attester to the mahazar. The same was marked as Ext. P3. PW1 had talked to Greeshma earlier, and hence he can identify her voice. He identified the hard disk, annexure 5, which is marked as Ext.P4. The hard

disk, Ext.P4 produced by the prosecution was played in the open court. When the file, WA005 file was opened, Sharon was heard saying;

“ചേട്ടന്റെ അടുത്ത് ഒന്നും പറയാൻ പറ്റില്ലല്ലോ. കഷായം കുടിച്ചെന്ന് . അന്ന് കുടിച്ച 'മ' ആണ്. Expiry date കഴിഞ്ഞതാണ്. അതേപോലത്തെ ഒരു മാ കുടിച്ചതാണ് എന്നാണ് വീട്ടിൽ പറഞ്ഞത്. അത് കുടിച്ചതോടു കൂടി ഛർദ്ദിൽ ആയെന്നാണ് വീട്ടിൽ പറഞ്ഞത് .”

The file number, WA 006 contained in Ext.P4 was played in the court and PW1 identified voice of Greeshma in which she was saying,

“ഇച്ചാ ഈ ജൂസിലെ എനിക്ക് എന്തോ doubt തോന്നുന്നു, അത് normal taste ആയിരുന്നോ , കുഴപ്പമൊന്നുമില്ലല്ലോ, ഇനി അത് react ആയതാണോ”

55. In the cross-examination he further stated that he had given statement to Police twice . Greeshma and Sharon were in love from October, 2021, he stated. They had decided to marry. The same was informed to him and the family members. Nobody from his family had objection against the marriage. In such circumstance Sharon tied knot at his house and adorned vermilion at Vettukadu church. Sharon came to know that marriage engagement was conducted between Greeshma and one Satheesh in March, 2022. All his

family members also came to know about the engagement. PW1 admitted that Sharon had agony in her engagement with Satheesh. It was put to PW1 in the cross-examination that Sharon had reached a position that he cannot live without Greeshma, PW1 would answer in affirmative. Despite all these, Sharon tied the nuptial knot to Greeshma in May, 2022 . PW1 denied , when it was put to him that Greeshma was planning to marry Satheesh even at a time when she was in love with Sharon. PW1 explained that when he enquired about the engagement, Greeshma told PW1 that such engagement was done at the compulsion of her family members. PW1 contacted Greeshma soon after the engagement . However, he would admit that he has not given such statement to Police.

56. Learned counsel for accused pointed out that in the statement given by PW1, Sharon came to house at 2 p.m. PW1 explained that it was a mistake. It was in fact 12 noon. He would say that blood and urine of Sharon were examined on 14.10.2022. The same were of normal value. He was conscious from 14.10.2022 till his death, but not able to speak. PW1 could not ask Sharon what happened to him because he was in the ICU. His father had visited Sharon and he made a disclosure to father. However, PW1 would admit that in between 14.10.2022 and 25.10.2022 Sharon had spoken

to him twice. Firstly it was on 14.10.2022 and secondly on 17.10.2022, when he was admitted at Medical College Hospital, Thiruvananthapuram. However, Sharon never disclosed that Greeshma had poisoned him. It was later only PW1 understood that Greeshma had given him poison. The fact that Sharon had drunk Kashayam at Greeshma's house was told to ENT doctor John. PW1 would admit that according to the ENT doctor Sharon's illness was tonsillitis, because Sharon's oral cavity had crack and damage. PW1 would admit that it was not stated to ENT doctor that poison had entered into Sharon's body. So also, when Sharon was taken to Government Fort Hospital, Thiruvananthapuram, they were not told that poison had entered inside the body of Sharon. It was informed to Fort Hospital that he had drunk frooti. When it was put to PW1 why he was not shown at causality, but at ENT, PW1 would explain that seeing the oral injuries and conditions, they referred the patient to ENT. He was also shown to skin doctor, PW1 stated.

57. It was not specifically stated by Dr. Aruna, PW1 deposed, copper sulfated had entered his body. But the Doctor told that a dangerous poison had entered. According to Dr. Aruna, as on the finding on that day it was something like an acid which had entered into his body. PW1 denied the suggestion put to him that from that day it-

self he was aware about the copper sulfate which had entered in his body. He had doubt that there was a poison in the kashayam which was given by Greeshma at her house on 14.10.2022. Though he had entertained the doubt on that day itself, he expressed his doubt and gave statement to Police only on 26.10.2022. He would admit that all those facts were not stated to Police at the first instance due to his mental condition at that time.

58. PW1 was also aware about the fact that Sharon had given statement to Magistrate. However, he does not know about the contents of the statement of Sharon. Learned counsel for accused submitted that PW1 was aware of the lying declaration given by Sharon to Magistrate in which nothing contained so as to bind the accused and after knowing it, PW1 made a story that Sharon disclosed to his father that it was Greeshma who had poisoned him. PW1 has not stated to parents of Greeshma about the marriage between Greeshma and Sharon. It is admitted that the fact Greeshma had assured Sharon that she would come with him in November, was not stated to Police earlier. So also, he has not stated to Police that he was aware about the love affair between Greeshma and Sharon. He denied in the cross-examination that he came to know about the marriage engagement between Greeshma and Satheesh only after

the death of Sharon. He further denied that Sharon never disclosed about the love affair between them even in the dying declaration because he never wanted to disclose such affairs to anyone. He further denied that he has given statement to Police that Greeshma poisoned Sharon , believing the words of Police that Greeshma gave him concoction laced with kapiq herbicide.

59. Learned counsel for accused submitted that there were other calls between Greeshma and PW1 on 22.10.2022, but the same was denied by PW1. He would admit that he had contacted Greeshma in March, 2022 after the marriage engagement between Greeshma and Satheesh, PW84, because Sharon had told PW1 that he was in love with Greeshma. It is admitted that Ext.P 103(a) and Ext.P103(b) calls were recorded after the recording of dying declaration of Sharon by Magistrate . PW1 repeatedly stated that , he was very much particular that he should get some admissions from Greeshma herself because she knew everything and that is why he deliberately recorded the calls. However, he did not state anything to Greeshma about the disclosure made by Sharon to his father at ICU. He cleverly did not say, he added, because otherwise she will not disclose anything . In this circumstance the contention of accused is that there is no truth in the so called disclosure of

Sharon to his father and that is why the same was not told to Greeshma . The same was denied by PW1. Admittedly, PW1 did not ask Greeshma why did she do this harm to Sharon even as she was ready to come with him in November. Then it was argued by learned counsel for accused, in Ext.P103(a) Greeshma had admitted that she did not add anything with kashayam and PW1 was convinced about the answer and that is why PW1 did not talk about any poisoning to Greeshma. PW1 had replied in the cross-examination that Greeshma was suppressing the truth and he contacted Greeshma after coming to know that she had poisoned Sharon.

60. The admission by Greeshma in Ext.P103(a) that she gave kashayam to Sharon in a glass at her house is a relevant fact. Secondly, it is admitted by A1 Greeshma in Ext.P103(a) voice clip that Sharon vomited at her house in green colour. Thirdly, she admitted in Ext.P103(a) that it was a kashayam purchased from a medical store. The fact that accused destroyed the sticker of the kashayam bottle, refused to disclose the nature of kashayam , at least the cap of the bottle was not given when asked about it by PW1, her disclosure that there is no label for the medicine, that she does not know the name of the Doctor who prescribed

the medicine and then saying that there is no prescription at all etc.. are relevant facts for giving false information.

61. PW3, a relative and close friend of Sharon, deposed that A2 had told Sharon to withdraw from the relationship with Greeshma. PW3 stated that thereafter Sharon and Greeshma quarreled for a while. Nevertheless, they united in May 2022. In the first week of May, Greeshma came to the house of Sharon. PW3 was there near the house. Greeshma waved her hands to PW3, and then she moved to the house of Sharon. On that day Sharon tied ceremonial string around her neck. PW12, a neighbor and relative of Sharon, also had seen Greeshma when she was going to the house of Sharon in the first week of May, 2022. PW12 also saw PW3 standing near the house of Sharon, and PW12 further stated that while going to the house of Sharon, Greeshma had waved her hand at PW3. PW12 also identified A1 in the dock. **The circumstance that in the first week of May, Greeshma came to the house of Sharon stood proved by the evidence of PW3 and PW12.**

62. In fact, Sharon had sought the help of PW3 on 14.10.2022 to go to the house of Greeshma, but on that day he was busy with wooden polish work. In the evening only PW3 came to know that Sharon was brought to Parassala Hospital and then to Medical Col-

lege Hospital, Thiruvananthapuram, and Valiyathura House thereafter. When he visited Medical College Hospital on 17.10.2022, the doctor told PW3 that how the poison entered inside the body of Sharon is a matter to be enquired into. **Then PW1 and PW3 contacted PW2 from his number, 6238854832. PW1 asked about the history. PW2 told that Sharon spent 20 minutes at the house of Greeshma, and he came out vomiting; it was greenish in color, and Sharon had vomited at Greeshma's house and three places on the way back home.** The same were informed by PW3 to the doctor.

63. In order to proceed with the treatment further, PW3 stated, it must be known what exactly the poison entered inside his body. For the purpose of this, PW3 contacted Greeshma, and she told PW3 that she gave **Kokilasham Kashayam**. When asked for the photo of the label, she informed him that the same was lost. PW3 was talking over from his mobile phone. Greeshma had sent a photo of maaza juice via WhatsApp to the WhatsApp number of PW3, and hence he was sure that she was lying. According to PW3, Greeshma was lying in order to interrupt further treatment. He identified Greeshma in the dock.

64. He had identified A1 earlier on 5.11.2022 at the Dy.S.P. office. On that day a mahazar was prepared after seeing the photographs of Greeshma and Sharon. He saw the photographs on the laptop. He produced the treatment records of Sharon at Parassala Hospital to the sub-inspector of police. The same were marked as Ext.P10 series (8 numbers). A mahazar was prepared after seeing the Ext.P10 series. He identified his signature in the mahazar. The same was marked as Ext.P11. He also identified his signature in the mahazar, Ext.P12, which was prepared after seeing the photos and videos of both Sharon and Greeshma on the laptop.

65. Ext.P4 was played in the open court. He identified file No. IMG 202111215082749 in which Sharon and Greeshma were seen. He identified A1 in the photograph. He identified another photograph in which Sharon and Greeshma were sitting inside a bus, IMG 20220521091008. He identified Greeshma in a video in which Sharon was riding the motorcycle and Greeshma was riding pillion, VID20211103-154948. Another video, VID 20211221160829, was played, and PW3 identified Sharon and Greeshma travelling by motorcycle. VID20211231083027 is the video shot in a bus in which Sharon and Greeshma were travelling. PW3 identified those videos at the Dy.S.P. office, and a mahazar was prepared in his presence.

He identified his signature in Ext.P13 mahazar. Another mahazar prepared at 11.15 hours on 26.12.2022 was also prepared in which PW3 identified his signature in the mahazar, Ext.P14. On the same day at 12.00 hours, Ext.P15 mahazar was also prepared, in which PW3 was an attester. He is also an attester to Ext.P16 mahazar prepared at 14.00 hours and Ext.P17 mahazar prepared at 14.45 hours.

66. It was put to PW3 in the cross-examination that as per the CDR, PW3 had contacted Sharon at 10:54 P.M. for 27 seconds on 14.10.2022, which was denied by him. He does not remember exactly, because at that time Sharon was in the hospital. He denied having called PW2 on 18.10.2022 at 3.23 p.m. for 92 seconds. This call was made, according to PW3, on 17.10.2022. PW3 had occasions to see the above videos and images earlier when they were shown by Sharon to him at Sharon's house. However, he did not give such a statement to the police. According to the accused, PW3 had no knowledge about Greeshma until the above videos and images were shown to PW3 by the police. PW3 was a close friend of Sharon, and admittedly Sharon used to disclose everything to PW3. Sharon had told him that Greeshma may marry another one and cheat him. He was worried about the engagement between Greeshma and Satheesh. He denied, when it was put to him that

Sharon had some nude photos of Greeshma and he never told PW3 about such photos. PW3 would say that Sharon was not emotionally sensitive. He had some worries in March, after the engagement between Greeshma and Satheesh, but they resumed their relationship again in May via WhatsApp chat. They were happy, and they were in love. He would admit that Sharon never took vengeance against Greeshma because he was deeply in love with Greeshma. Nothing material could be brought in the cross-examination of PW3 to impeach his creditworthiness.

JUICE CHALLENGE AND PREVIOUS ATTEMPT TO COMMIT MURDER.

67. **Point No.7:** Accused had opportunity to administer poison on 14.10.22. Before that, she had experienced from juice challenge how to create opportunity. Ext.P18 is the mahazar prepared after seeing the images containing Ext.P4 prepared at 15.15 hours. Ext.P4 is played in the open court. PW3 identified Sharon and Greeshma in the video file No. 20220822120014. PW3 deposed that in this video Greeshma was holding a frooti juice in her hand and Sharon was asking Greeshma, “എന്തോന്ന് ചലഞ്ച്,” and then Greeshma replied. “അതു പിന്നെ, ജയിക്കുന്നയാൾ പറഞ്ഞാൽ അപ്പോ.”. Again in the video PW3 deposed, Sharon was asking Greeshma, “കളി

എന്തോന്നാണ് പറ,” and again Sharon was seen saying, “റെക്കോഡ് ചെയ്യുകയാണ് പറ,” and Greeshma was replying, “റെക്കോഡ് ഒന്നും ചെയ്യണ്ട, പോ ഇവിടുന്ന്.”. PW3 properly deposed in tune with the video after playing Ext.P4 in the open court. This video, according to PW3, is the juice challenge conducted earlier by Greeshma. A mahazar was prepared for the juice challenge at 15.15 hours, and in the Ext.P18 mahazar, he identified his signature. PW3 further deposed that Sharon had told him about this juice challenge earlier and Sharon had further stated at that time she had mixed something with a bitter taste.

68. Greeshma was brought to the shop of PW14 who is running a petty shop by name ‘Kassali Shop’ at Arapalli, Thiruvithamcodu at Kerala border. PW14 is engaged in sale of juice, fruits , biscuits , sweets etc. After having identified A1 in the dock, he specifically deposed that it was A1 who came in the month of August to his shop and bought two bottles of slice juice . He further stated that she was accompanied by a boy who stopped his bike in front of the house and it was Greeshma who came to his shop and purchased two bottles of slice juice. PW14 gave one bottle and then Greeshma demanded one more and gave price Rs. 80/- for two bottles to PW14. Next to the shop of PW14, PW18 is running a cycle repair workshop. PW18 corroborated the evidence of PW14

that Police brought Greeshma to the shop of PW14 on 09.11.2022, Police bought a sample bottle of juice from PW14 and a mahazar was prepared for the purpose , attested by PW18 and marked as Ext.P14.

69. PW19 is an attester to the Ext.P43 mahazar prepared after seeing the Kuzhithura old bridge . He identified his signature in the mahazar . It was prepared on 09.11.2022 . At that time, PW19 stated, A1 Greeshma was also there at the bridge with the Police , while preparing the mahazar. PW19 specifically deposed that the bridge was shown by Greeshma to Police. He identified A1 in the dock also. PW65, Photographer produced photographs of College at Neyyar, CSI Christian College and Kassali stores from which juice was purchased by A1 and the same were shown by A1 to Police in the photograph. The same was marked as Ext.P100(k). The 12th sheet of photograph is of Greeshma standing along with Police near Kuzhithura bridge. The same is marked as Ext.P100(l). According to prosecution this was the place where the juice challenge was conducted by Greeshma earlier.

70. PW3 has also identified the voice of Sharon in the file PTT 2022 1014-WA00005, after playing Ext.P4 in the court. PW3 de-

posed, Sharon was heard saying, ചേട്ടന്റെ അടുത്ത് പറയാൻ പറ്റില്ല, ഇതുപോലൊരു കഷായം കുടിച്ചെന്ന്. മറ്റേ അന്നു നമ്മൾ കുടിച്ചില്ലേ, ഒരു ... മാ... expiry date കഴിഞ്ഞത്... ഒരു കയ്പുള്ളത്... അതുപോലത്തെ ഒരു സാധനം കുടിച്ച തൊട്ട് ചർദ്ദിയിൽ എന്നാണ് വീട്ടിൽ പറഞ്ഞത്." PW3 was deposed; this voice was sent to Greeshma by Sharon from his mobile number via WhatsApp, which was subsequently retrieved from the mobile phone of Greeshma. Further, PW3 identified the voice of Greeshma in file No. PTT 20221014-WA0006, in which Greeshma was heard saying, "ഇച്ചാ, എനിക്കും ഈ ജൂസിൽ എനിക്ക് എന്തോ doubt തോന്നുന്നു... അതോ normal taste ആയിരുന്നോ? കുഴപ്പം ഒന്നും ഇല്ലല്ലോ? അത് react ചെയ്തതാണോ എന്തോ"? A mahazar was prepared for the above two voices. It was attested by PW3 and had already been marked as Ext.P3.

71. **PW57 was an attester to Ext.P89 which was prepared after examining Page No. 21732 and serial number 1757. The same is available from 'Data from Q1' . This is also an important image dated 14.10.2022 in which Greeshma searched about kapiq herbicide in the 'wiki pedia' topic search. The web history details are contained in the serial No. 1757 file in page No. 21732. In the web history,**

paraquat wikipedia , PW57 deposed , was seen searched at 01.56.08(UTC + 0). UTC means Universal Time Cordinate. The time gap between UTC and IST is 5.30 hours. In order to get UTC, one has to add 5.30 hours with IST. PW57 specifically stated that the paraquat wikipedia was found searched at 7.24 a.m. on 14.10.2022. PW57 identified the image and marked as Ext.P4(a7). After referring to Ext.P4(a7) image PW57 further stated that the search about paraquat was made via “source chrome account”. At 01.54.39 (UTC + 0) on 14.10.2022, as per serial number 1758 in Ext.P4(a7), PW57 deposed , CDC Facts about paraquat was found searched via ‘Source Chrome Account’. The most important circumstance is that at 7.24 a.m. on 14.10.2024, as per Ext.P4(a7) and Ext.P89 mahazar, Greeshma has searched about kapiq herbicide in the Wikipedia topic search vide serial numbers 1757 and 1758 which clearly proves the preparation for the commission of crime as the offence took place within three hours after this preparation at her residence. It also means that Greeshma has formed intention at the very inception before administration of kapiq ,to kill Sharon.

72. PW57 is an attester to Ext.P90. It was prepared after seeing the page No. 21995, serial No. 4577, an image of web history search via source chrome account. The search was made at 01:37:56 (UTC + 0) on 22.08.2022. As per this image, a link by name flavoxate and Paracetamol interactions - Drugs.com was seen. The said image has been displayed at the time of preparation of Ext.P90 and the same was identified in the court after playing Ext.P4 hard disc and the same was marked as Ext.P4(a8). Indian Standard Time of Ext.P4(a8) is 07.07.56 am on 22.08.2022. Curiously enough, on the same day, the same subject was searched via 'Source Chrome Account ' for 20 times. PW57 deposed that in page No. 21996 image , 20 items are seen which are marked as Ext.P4 (a9) series (20 Numbers). This is relevant fact. The same was played in the open court. PW57 deposed that he had seen item numbers 4578 to 4591 at the time of preparing Ext.P90 mahazar and the same is identified before court after playing Ext.P4. It was on 22.08.2022 the juice challenge was conducted by Greeshma. PW3 deposed after seeing the video file No. VID20220822120014 that it was Sharon and Greeshma . Sharon was seen recording the video. Greeshma was holding two

bottles of fruity. Sharon was seen asking in the video, “എന്തോന്ന് ചലഞ്ച്” and then Greeshma replied. “അതു പിന്നെ, ജയിക്കുന്നയാൾ പറഞ്ഞാൽ അപ്പോ ”. Again in the video PW3 deposed, Sharon was asking Greeshma “കളി എന്തോന്നാണ് പറ” and again Sharon was seen saying , “ റെക്കോഡ് ചെയ്യുകയാണ് പറ” and Greeshma was replying, “ റെക്കോഡ് ഒന്നും ചെയ്യണ്ട, പോ ഇവിടുന്ന്”.

This same video was played in the open court. Apart from the evidence of PW3, PW57 also identified the video and deposed in the same line and marked as Ext.P4(z). The fact that this video was recorded on 22.08.2022 is not challenged in the cross-examination.

73. At 15.15 hours on 26.12.2022 PW82 prepared Ext.P18 mahazar and he identified his signature in the mahazar. Ext.P4(x), P4(y) and P4(z) were played and PW82 identified two images and one video. He specifically stated that Ext.P4(x) is the video of juice challenge conducted at Kuzhithura bridge and after seeing the image he identified Greeshma and Sharon. He further deposed that at the time of preparing mahazar PW3 had identified those persons as Sharon and Greeshma. **Ext. P4 (z) is the video, in which PW82 deposed, it is seen that Greeshma was conducting juice**

challenge at Kuzhithura bridge with Sharon and also handing over the juice in the videos. Those persons were identified by PW3 at the time of preparing the mahazar by PW82. The same was described in the mahazar also. Therefore, it is a proved circumstance from the evidence of PW3 and PW57, Exts. P4(z) video that she conducted juice challenge and before the challenge Greeshma had searched at 7:07:56 a.m. on 22.08.2022 via 'source chrome account' the link, flavoxic and Paracetamol interactions - Drugs .com and this was the first attempt to poison him.

74. The question is whether Court can see (video) electronic record ? In Santhosh Madhavan @ Swami Amritha Chaithanya v. State, 2014 KHC 31 : the Hon'ble High Court of Kerala held that a court cannot step in to the shoes of a witness and identify persons by viewing a video cassette and render a finding of guilt, the power of the court to view video footage was approved as follows- There can be no quarrel regarding the right of the Court to view the cassettes like the Court is entitled to make a visit of the scene of offence etc. But those are all only for the purpose of appreciating the evidence in the case in a proper manner.

75. However, in Sherin.V. John.V. State Of Kerala 2018 (3) KHC

725, (In Jizal Razak's case, the dictum of this decision, that compact discs are material objects is distinguished and held that when the contents of the same are relevant, it has to be treated as electronic record and consequently documents.) though in the context of that case, it was held that, compact discs etc., are material objects held that the court can view the contents of the same as follows- What is the evidentiary value or probative value of the material objects which have been made part of the evidence in a case? In this context, the definition of 'proved' in the Indian Evidence Act, becomes relevant. It runs as follows:

""Proved".-- A fact is said to be proved when, after considering the matters before it, the Court either believes it to exist, or considers its existence so probable that a prudent man ought, under the circumstances of the particular case, to act upon the supposition that it exists."

76. The section makes it clear that the Court has to reach a conclusion not on the basis of evidence alone. But on the basis of matters before the Court. Of course, these matters include evidence. There can be other matters also before the Court. The facts like identity of the person who is present before the Court. The Court need not examine anyone with regard to his identity or presence or absence. It has the authority to ascertain whether the

person who is present before it is the one seen in the visuals in the material objects like cassette, compact disc, pen drive.

77. A material object made part of the evidence in the case is a matter before the Court. The Court has the authority to examine it. The identity of the accused and the victim who are present before the Court is also a matter before it. The question whether those persons and the persons seen in the visuals in the cassette marked in evidence in the case are the same persons is one to be answered on the basis of the matters before the Court. Therefore, on the basis of the above referred judicial precedents it is crystal clear, that for appreciation of evidence, this Court can view the video footages in which Sharon and PW2 were traveling, Greeshma conducting juice challenged are admissible in evidence and those visuals can be relied safely.

78. Ext.P229(g) contains 23 different searches about paracetamol made on 22.08.22 at 00:04:15 (UTC + 0). Indian Standard Time is 5.34 AM on 22.08.2022 . From that time onwards 23 searches were seen made till 01:37:56 (7.07 AM). All these searches were seen made from Q1(MO40) device phone. The above six pages in Ext.P229(g) containing the information gathered by Q1

user are seen in this document. It is proved from Ext.P229(g) that on the date of juice challenge at Kuzhithura bridge, Greeshma had studied in detail about the paracetamol , side effects, dosage, interactions, opioid overdose, details of toxicity of drugs used for suicide, substances used in completed suicide by overdose in Toronto, symptoms diagnosis, treatment and prevention, accidental overdose of medicines, paracetamol mixing , what are the drinks with which one does not take paracetamol, drinks to avoid mixing with paracetamol, paracetamol poisoning, etc. The search No. 22 as shown above in Ext.P229(g), the information gathered by Greeshma was about paracetamol poisoning and paracetamol overdose. The name of link is <https://patient.info/doctor/paracetamol-poisoning> . This link is seen opened by the Q1 user. The search No. 20 was made by Q1 user about paracetamol overdose in suicidal attempt Patients - Pub Med. The name of link is "<https://pubmed.ncbi.nlm.nih.gov/15217182/> . This link is opened in the court. It is seen that Q1 user had gathered information about paracetamol overdose in suicidal attempt patients.

79. The folder by name "Image--video from Q4" was marked as Ext.P229(u). When opened, two images were seen(Ext.P4(x)(y)). The same are captured on 22.08.22 from Q4 mobile. The same per-

sons are seen. They are Sharon Raj and Greeshma. The lady is seen holding in her hand a juice bottle . This is the video in which two persons are the same male and female, seen near a bridge. The lady is holding two bottle juice. She is taking one juice bottle from her bag and the other juice bottle was already on her hand. This was captured on 22.08.2012 from Q4 Realme (MO5). This video is not challenged by accused.

80. The Ext.P229(u) video will prove the fact that Greeshma tricked Sharon with two juice bottles at Kuzhithura bridge. The video is very much visible in which Greeshma was holding one juice bottle underarms and quickly she was taking another juice bottle from her bag. This was the slice juice bottles purchased by Greeshma from the shop of PW14, Kassali Stores, Thiruvithamcodu at Kerala border. This video appears to have been recorded after visiting C.S.I. Medical Mission College, Neyyoor, Kanyakumari. So, it is to be believed from the available evidence that Greeshma had mixed paracetamol at the toilet of the college and thereafter both came near to the bridge for juice challenge. This time Sharon is seen recording video of her exchange of juice bottles and at that time Sharon is seen asking, "what is the game?". Sharon must have suspicion whether she had mixed something in the juice bottle

and that is why Sharon is seen asking in the video, "I am recording it". Then she is trying to hide the bottles and asking him, "don't record it". It means and implies that she smelt of danger of recording the visuals in which she was taking a juice bottle from her bag, exchanging with another one kept under her arms and tricking Sharon. Anyhow, this attempt failed. In this connection Section 14 (i) is relevant which is as follows:

81. Section 14. Facts showing existence of state of mind, or of body or bodily feeling; Facts showing the existence of any state of mind, such as intention, knowledge, good faith, negligence, rashness, ill-will or good-will towards any particular person, or showing the existence of any state of body or bodily feeling, are relevant, when the existence of any such state of mind or body or bodily feeling is in issue or relevant.[Explanation 1. - A fact relevant as showing the existence of a relevant state of mind must show that the state of mind exists, not generally, but in reference to the particular matter in question. Explanation 2. - But where, upon the trial of a person accused of an offence the previous commission by the accused of an offence is relevant within the meaning of this section, the previous conviction of such person shall also be relevant fact.]

[Substituted by Act 3 of 1891, Section 1, for the original Explanation.]

Illustration (i) ; A is charged with shooting at B with intent to kill him. In order to show A's intent the fact of A's having previously shot at B may be proved.

82. So, it is proved that Greeshma researched as to how paracetamol can be used as a poison and what are the drinks with which the paracetamol is to be added while administering it. It is also proved that on the date of juice challenge, Greeshma made 23 searches so as to mix the paracetamol with slice juice . It is proved that she bought two bottles of slice juice on 22.08.2022 with an intention to mix paracetamol in it and to poison Sharon. It is also to be believed that at the bathroom of CSI Medical Mission College, Neyyoor , Greeshma mixed paracetamol in the slice juice on 22.08.2022 and that is why soon after having it Sharon vomited the same. This is a circumstance because the same modus operandi was applied by Greeshma on 14.10.2022 also. This is more relevant because she had earlier made attempt to commit murder of Sharon.

83. Senior CPO, Crime Branch, Thiruvananthapuram District (Rural), PW79, was member of the Special Investigation Team . She had proceeded to the Neyyoor CSI Medical Mission College, Kanyakumari with investigating officer on 9.11.2022 . According to PW79 Greeshma admitted to the investigating officer to have mixed Paracetamol and Dolo tablets in the juice at the toilet of that college, before conducting juice challenge with Sharon Raj and based on that information as a part of discovery of facts, A1 showed the toilet to Investigating Officer and Ext.P125 mahazar was prepared .

84. PW35 residing at Malayadi, Moovottukonam knew Sharon and his family earlier. PW35 saw Sharon at around 11.30 - 11.45 a.m. on 14.10.2022 while he was sitting in his shop . PW34 also knows PW2. According to him both were travelling by a motorcycle towards Malayadi area. He specifically stated that PW2 was riding the motorcycle in which Sharon was riding pillion. The motorcycle was black in colour. Sharon was clad in maroon colour shirt and black pants and PW35 noticed Sharon riding pillion leaning on the shoulder of PW2. In the cross-examination he admitted that he is a relative of Sharon. He did not state to the family members that Sharon was found tired while riding pillion. His shop is at road side

and he has got license from Malayadi panchayath. He is a carpenter and also running a furniture shop. He has gone to the house of Sharon for carpentry works. **The circumstance that Sharon was found between 11.30 and 11.45 a.m. on 14.10.2022 while riding pillion , tired and leaning on the shoulder of PW2 and they were found at Malayadi could be proved by PW35.**

85. Sharon Raj was studying B.Sc. Radiology and imaging technology at Medical Mission Christian College of Allied Health Science, Neyyoor, Kanyakumari district. The Principle in charge of that college, PW30 produced Ext. P61 certificate to prove the same. Greeshma was studying M.A. English Literature at Muslim Arts College, Kanyakumari District. The Principle in charge of that college during the Academic Year, 2020-2022 produced course certificate of Greeshma and her pass certificate, Ext.P62 series (2 numbers).

86. The prosecution has got a case that the family members fo Greeshma did not like the relationship between Greeshma and Sharon because Greeshma belonged to Nair community and Sharon is a SIUC Nadar. PW37 , Special Thahsildar, Collectorate, Nagercoil issued community certificate of Greeshma, daughter of Sindhu, Ext.P69 which shows that Greeshma belonged to Hindu Nair

community. The Village Officer, Parassala, PW53 had issued Ext.P84 community certificate showing that Sharon Raj, S/o Jayaraj is belonged to Nadar SIUC community.

87. PW92, Father of Sharon Raj, was examined at a later stage because he has reportedly suffered stroke. He was not able to talk spontaneously to the questions put by both learned Special Public Prosecutor and learned Senior Advocate . He was not well oriented. He sat in the witness box with the support of a Policeman. He deposed that his son died at Medical College Hospital, Thiruvananthapuram on 25.10.2022. He deposed , he was in love with Greeshma. Sharon was admitted in the ICU on 17.10.2022 and he had underwent three dialysis on 17.10.2022, 19.10.2022, 19.10.2022 and 21.10.2022 . He was the bystander from 17.10.2022 at Medical College Hospital for Sharon Raj. **PW92 met Sharon, his son at ICU on 22.10.2022 at 5.30 a.m. for cleaning his body. At that time, PW92 deposed, Sharon told him that he wanted to speak something. (പപ്പാ, ഒരു കാര്യം പറയാനണ്ട്). When PW92 came close to him Sharon said sorry and that he will die. (ഞാൻ മരിച്ചു പോകും,എനിക്കു മാപ്പു തരണം). According to PW92, Greeshma had invited him to come to her house on 14.10.2022 over phone and Greeshma**

mixed a dangerous poison in the kashayam and gave to him to drink at her house. Sharon further disclosed to PW92 that he started vomiting and loose stools after drinking that kashayam. PW92 deposed that Sharon told him at the ICU that he, along with Greeshma had gone to a hotel room at Thripparappu and had sexual intercourse with Greeshma.. PW3's evidence is corroborating the dying declaration of Sharon because Sharon had told told him that Greeshma mixed a dangerous poison in the kashayam, gave to Sharon, he started vomiting, had loose stools etc.

88. It was PW92 who produced the treatment document of Sharon at Medical College Hospital, Thiruvananthapuram, Ext.P58, Ext.P59 and Ext.P60 series. PW92 identified the same in the box. He was also an attester to Ext.P162 mahazar prepared after seeing the lab reports which were produced by PW92 to the Sub Inspector of Police, Saji, Parassala Police Station. He identified his signature in Ext.P162 and also identified Ext.P173 and P174 lab reports. He had given statement to investigating officer.

89. In the cross-examination , PW92 had no explanation for the omission that Sharon had said sorry to him. That alone will not invalidate the dying declaration. The evidence of PW92, about the

disclosure by Sharon , “Papa, I want to say something, I will die, please excuse me” is further proved from the evidence of PW3 and PW10. PW92 admitted that he had never seen Greeshma except on the date of examination at the dock. He deposed that Sharon had expressed his wishes that he wanted to marry Greeshma as they were in love. The same was told by Sharon one year ago. However, the same was not stated to the investigating officer. He had also not stated to the investigating officer that Sharon had underwent dialysis for 3 days. He knew that Magistrate had recorded statement of Sharon, but he does not know the contents of it. He admitted in the cross-examination that nobody told him to report to the Police about the disclosure made by Sharon on 22.10.2022 that Greeshma had given him kashayam laced with poison. However, he had told the same to PW1. He did not state about the disclosure to PW10, his wife. In the circumstance, the learned Senior Advocate submitted that PW92 had not visited Sharon at the ICU on 22.10.2022 and Sharon had not made such a disclosure about the cause of his death. It is further argued that such a story was created after it has come to light that Sharon did not accuse Greeshma when his statement was given to Magistrate. This appears to be not correct because in the statement given by Sharon

to Magistrate there was specific disclosure that Greeshma had given him kashayam and juice at her house on 14.10.2022. PW92 denied , when it was put to him in the cross-examination that PW92 came to know about the visit of Sharon to the house of Greeshma only after his death. He further denied that the intimate relationship between Sharon and Greeshma also came to his knowledge only after the death of Sharon. **The fact that Sharon had made dying declaration to his father at 5.30 a.m. on 22.10.2022 is believable because he was the bystander for Sharon Raj at the ICU of the Medical College Hospital, Thiruvananthapuram at that time. Being father, he used to clean the body of Sharon at the ICU and the declaration was made two days before his death. The dying declaration is believable because it is already proved from the evidence discussed as above that Greeshma and Sharon had met at her house on 14.10.2022 and she had the opportunity to administer poison to him. The declaration so made and as deposed by PW92 is trustworthy because it is proved that it was kashayam which he drank at the house of Greeshma on 14.10.2022. The declaration made by Sharon Raj to his father is true because it was after Sharon consumed the**

kashayam laced with poison, he started vomiting and loose stools. It is proved by the evidence as discussed hereinafter that Sharon and Greeshma had shared bed in a room at an inn at Thripparappu and had sexual relationship between the two. In the circumstances the argument that Sharon had never made such a disclosure to his father has no substance. This dying declaration alone need not be taken as substantive evidence, but it will be a corroborative piece of evidence to support the evidence of PWs 1 to 3 and PW10 . All what Sharon stated to PW92 in his declarations could be proved by the corroboration of medical evidence and the evidence of PWs 1 to 3 and PW10 . It is common knowledge that a father, if available, as bystander will have access to the patient in the ICU. So, **the dying declaration was made by Sharon at the last moment in anticipation of his death as to cause of his death to his father, stood proved . It is a relevant fact by which administration of kashayam at the house of A1 to Sharon also proved.**

90. PW5 also knew about the love affair between Greeshma and Sharon. It is submitted on behalf of accused that statement of PW5 was not recorded at the time of inquest. However, he has

stated that his statement was recorded by Crime Branch. PW5 met PW1 on 14.10.2022 . He also made calls to Sharon's father on 14.10.2022 and thereafter. **The fact that PW2 dropped Sharon in front of his house and thereafter Sharon drove the motorcycle slowly while proceeding to his house is proved by PW5.**

91. Mother of the victim, PW10, knew well that her son Sharon was in love with Greeshma and according to her, he was very much sincere to the girl. **On 14.10.2022 Sharon had dropped PW10 at 9 a.m. at Purakkakkal Finance , Kaliyikkavila, where she was working as a Cashier.** She met Sharon on that day in the evening at the Parassala hospital complaining vomiting and loose stools. He was very much tired. The Doctor had suspected internal bleeding and hence Sharon was removed to Medical College Hospital, Thiruvananthapuram. PW10, her husband , who is an auto driver accompanied Sharon to hospital. She deposed that Sharon had told his father that Sharon will die, that Sharon went to the house of Greeshma on 14.10.2022 and spent time as husband and wife, Greeshma gave him concoction laced with poison and she cheated him. The same was told by her husband to her. According to PW10 the marriage

engagement between Satheesh and Greeshma was held and in order to eliminate Sharon she abducted Sharon and gave him kashayam mixed with kapiq . The motorcycle belonged to PW10. She produced the motorcycle, M.O.7 to the Police. The vehicle was obtained back by way of kaichit, Ext.P33. As the original R.C. book is in use, the copy of RC book was marked as Ext.P34. Sharon had driving license, Ext.P35. PW10 gave statement to Police . She had seen Greeshma earlier, as shown by Sharon. She also identified A1 Greeshma in the dock.

92. In the cross-examination she reiterated that Sharon had plan to marry Greeshma and she also was in support of that relationship. Sharon informed her about the relationship in 2021 and PW10 had informed about this relationship to her husband. She never contacted Greeshma and asked about the relationship between Sharon and Greeshma. She enquired about the parents of Greeshma to Sharon. The parents of Greeshma have not come to the house of PW10 in connection with this proposal. PW10 stated. When Sharon asked her about the visit at Greeshma's house, she was afraid of the problem which may arose in this connection. The same was after the engagement of Greeshma with Satheesh. PW10 conceded that she came to know that Greeshma will never marry

Sharon. She advised her son, but he was not able to cope up with . According to PW10 Greeshma was ready to come with Sharon and the same was informed to her husband also. The same was not stated to the investigating officer because of her mental condition at that time. PW10 denied the suggestion that Sharon was following Greeshma despite the fact that she does not want him and further stated that they were in love and that continued even after engagement. Nobody had gone to the house of Greeshma to inform about her love affair with Sharon or to discuss anything about it. When it was put in the cross-examination whether Greeshma was ready to elope with Sharon, even as her marriage engagement was over, PW10 replied that Greeshma was ready to come with Sharon . When asked about the dying declaration given by Sharon , PW10 replied that she does not know about it. PW10 would say that Sharon informed his brother, PW1, that he can marry Greeshma only, and he also informed the same to his father. She would admit that she did not do anything when she came to know about the disclosure of Sharon to his father in connection with the poisoning . She would admit that Sharon gave statement to Magistrate, after the information that there occurred poisoning . She did not enquire what may be the poison which might have

entered inside the body of Sharon. Though a portion of S.161 statement put to PW10 and marked as Ext.D1 provisionally to contradict her version that PW10 informed the Police about the poisoning, in fact, Ext.D1 was properly explained in the re-examination that it was the doctor who informed the Police about the poisoning. She denied the suggestion put to her that it was copper sulfate entered inside the body of Sharon. For the afore stated discussions , it is proved that Greeshma had opportunity to administer poison . Ponit 7 is found in favour of prosecution.

93. **Point No.6:** The question is whether A1 was in possession of paraquat poison on 14.10.22. The panchasheel of circumstantial evidence can be examined one by one. The planning, preparations, attempt and actual execution of the offence of murder by poisoning are done clandestinely and there would only be circumstantial evidence regarding the same. The accused has to offer valid explanations about the incriminating circumstances against him and of facts exclusively within her knowledge, u/s 106 of Evidence Act. While analysing the incriminating circumstances adduced by the prosecution, the law laid down by the Hon'ble Supreme Court, regarding the appreciation of circumstantial evidence should be borne in mind. It is apposite to quote, the

following observations made in *Sharad Birdhichand Sarada v. State of Maharashtra*, 1984 KHC 145 , regarding the " the panchsheel of the proof of a case based on circumstantial evidence." A close analysis of this decision would show that the following conditions must be fulfilled before a case against an accused can be said to be fully established:

(1) the circumstances from which the conclusion of guilt is to be drawn should be fully established. It may be noted here that this Court indicated that the circumstances concerned "must or should" and not "may be" established. There is not only a grammatical but a legal distinction between "may be proved" and "must be or should be proved" as was held by this Court in *Shivaji Sahabrao Bobade v. State of Maharashtra*, 1973 CriLJ 1783 where the following observations were made:

"Certainly, it is a primary principle that the accused must be and not merely may be guilty before a Court can convict and the mental distance between 'may be' and 'must be' is long and divides vague conjectures from sure conclusions."

(2) the facts so established should be consistent only with the hypothesis of the guilt of the accused, that is to say, they should

not be explainable on any other hypothesis except that the accused is guilty,

(3) the circumstances should be of a conclusive nature and tendency,

(4) they should exclude every possible hypothesis except the one to be proved, and

(5) there must be a chain of evidence so complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused and must show that in all human probability the act must have been done by the accused.

In *Trimukh Maroti Kirkan .V. State Of Maharashtra*, 2006 (10) SCC 681 it was held as follows---

If an offence takes place inside the privacy of a house and in such circumstances where the assailants have all the opportunity to plan and commit the offence at the time and in circumstances of their choice, it will be extremely difficult for the prosecution to lead evidence to establish the guilt of the accused if the strict principle of circumstantial evidence, as noticed above, is insisted upon by the courts. A Judge does not preside over a criminal trial merely to see that no innocent man is punished. A Judge also presides to see that

a guilty man does not escape. Both are public duties. (See *Stirlahd v. Director of Public Prosecution* (1944 AC 315) quoted with approval by Arijit Pasayat, J. in *State of Punjab v. Karnail Singh* 2003 (11) SCC 271. The law does not enjoin a duty on the prosecution to lead evidence of such character which is almost impossible to be led or at any rate extremely difficult to be led. The duty on the prosecution is to lead such evidence which it is capable of leading, having regard to the facts and circumstances of the case. Here it is necessary to keep in mind S.106 of the Evidence Act which says that when any fact is especially within the knowledge of any person, the burden of proving that fact is upon him. Illustration (b) appended to this section throws some light on the content and scope of this provision and it reads:

(b.) A is charged with traveling on a railway without ticket. The burden of proving that he had a ticket is on him."

The sufficiency of the evidence, direct or circumstantial, to establish murder by poisoning will depend on the facts of each case. If the circumstantial evidence, in the absence of direct proof of the three elements, is so decisive that the Court can unhesitatingly hold that the death was a result of administration of

poison and that the poison must have been administered by the accused person, then the conviction can be rested on it.

94. One of the circumstances which will throw light to reveal the commission of crime is the testimony of PW6. He is running a fertilizer depot in the Kerala - Tamilnadu border at Kozhivila. His shop is in Kerala. The opposite side of the road is Tamilnadu. In the opposite side PW7 is running another fertilizer shop in the name and style 'Agro Trading Corporation' . Normally, the herbicides which is not available in PW6's shop will be made available to customers from the opposite shop. PW6 himself will go and bring the herbicide otherwise he will lose his customer. PW6 identified A3 in the dock who was brought to his shop for the purpose of investigation. A3 used to purchase fertilizers and other items from his shop. He is a regular customer. The important circumstance is that A3 purchased a 500 ml bottle from PW6. The same was purchased by PW6 from the shop of PW7. He specifically deposed that it was kapiq which was sold to A3 . He identified the bottle sold by him, when the Police brought the bottle along with A3 to his shop on 1.11.2022. However, he did not see the label on the bottle. He deposed that he can identify the bottle again . The packet containing the material object was opened as permitted and PW6

specifically identified the bottle and marked as M.O.6. A mahazar was prepared by Dy.S.P. at his shop which was attested by PW6 and the same was marked as Ext.P22. The shop was in the name of his mother. He produced the license before Police for which a mahazar was prepared , attested by PW6 and the same was marked as Ext.P23. As the license is to be displayed at the shop, the original license was obtained back after executing Ext.P24 receipt. PW6 produced the original license before court. He also produced the certified copy of the license. The original is returned back to PW6 and the copy of license was marked as Ext.P25. He has given statement to the Police and also Sections 164 Cr.P.C. statement to Magistrate, Ext.P26. PW6 denied in the cross-examination that Ext.P26 statement was happened to be given to Magistrate, upon compulsion by the Police when he refused to give statement to Police that M.O.6 bottle was purchased by A3 from his shop. learned Senior Advocate submitted that he has no other go except to stick on to his statement because PW6 has admitted in the cross-examination that he knew well that he will be held liable if he deviated from his statement given to Magistrate. When it was put to PW6 that he is not at liberty to speak freely before this court in view of his Ext.P26 statement, PW6 has replied that the statement

was given voluntarily. Again ,when it was put to PW6 that he was nailed with Ext.P26 , he denied the same. He deposed that Ravisankar, PW7 has license to sell kapiq. In fact the sale of kapiq is barred in Kerala, but in Tamilnadu. PW7 has license to sell kapiq. Admittedly, bill was not issued to PW6 and further admitted that M.O.6 bottle was sold to A3 without bill, probably for the reason that it is a banned item of poison in Kerala. It is pointed out that PW6 has not given statement to Police that A3 used to come to his shop and M.O.6 was sold to A3, but PW6 would say that he has given such statement. A3 was not directed to the shop of PW7 because he is a regular customer. Moreover, he has no license to sell herbicide. Even though there was no proper sale of kapiq to A3 as per the Sale of Goods Act, that is not a matter to be decided in this case. The point is whether accused procured poison from PW6. PW6 is trustworthy because he disclosed everything including the illegal sale because he ought to have issued or generated a bill for the sale of bottle. Accused has no case that Ext. P 22 mahazar was not prepared at the shop run by PW6. In that mahazar everything is described leading to recovery of material object as lead by A3.

Therefore, the circumstance that A3 purchased kapiq bottle, 500 ml. (M.O.6) from the shop run by PW6 at Kozhivila , at

the Kerala - Tamilnadu border and M.O.6 was identified by PW6 at his shop when the same was brought along with A3 by the Dy.S.P. on 1.11.2022, stood proved.

95. The shop, 'Agro Trading Corporation' is 100 metres away from the shop run by PW6. PW7 was a High School Teacher. He set up a shop at PPM Junction, Kaliyikkavila, the Kerala Tamilnadu border. He has license to serve pesticides , herbicides etc. The evidence of PW6 is corroborated by the evidence of PW7 that every often PW6 will come to his shop to buy the items which is not available in PW6's shop. That is the only relationship between PW6 and PW7. Actually he volunteered himself to the Police when the news that a girl poisoned a boy broke up, he added. PW7 deposed that he had stated to Police that he sold kapiq to PW6 in April and June of 2022. He produced the license before Dy.S.P. on 13.12.2022. A mahazar was prepared after verifying the license which was attested by PW7 and marked as Ext.P27. This license is to be displayed at his shop and upon his request he obtained the license back vide Ext.P28 receipt. Thereupon he produced the original license before the court along with list of products permitted by the license for the sale at his shop. He specifically deposed that item No. 63 is the kapiq for which he has license to

sell at his shop. The full chemical name of kapiq is 'paraquat dichloride 24% sl'. The photocopy of license along with the list of products permissible under the license were marked as Ext.P29 series (two numbers). PW7 also identified the kapiq bottle, 500ml, M.O.6, which was sold by him to PW6 . In tune with the evidence of PW6, PW7 also deposed that no label is seen on M.O.6. He also gave S. 164 Cr.P.C. statement to the Magistrate, Ext.P30. He explained in the cross-examination that he forgot to give statement to Police and Magistrate that PW6 came to his shop to purchase kapiq in April and June, 2022. This is not material because PW7 deposed that every often PW6 used to come to his shop. The business transaction between PW6 and PW7 is only to buy the items which is not available in PW6's shop. He does not remember whether the stock register of kapiq was shown to Police. PW7 sold the kapiq after generating a bill and the same will be reflected , according to PW7 in stock register and cash register. The counterfoil of the bill will also be available. However, the Police did not ask him the counterfoil of the bill. He denied that he gave statement for the interest of Police. At the time of approaching Police in order to give evidence that he sold paraquat , he did not

know who are all accused persons and Sharon. His testimony is trustworthy.

96. At 7.26 a.m. on 14.10.2022 - Greeshma searched at length via google for research about paraquat, its reaction, toxicity , usage etc. which is proved by Ext P4(a7), P229(a), P229(e). She made research about paraquat because the same was available at her home. A3 is an agriculturist. A3 was there at the house of A1 on 14.10.22 till 10. 20 am. A3 is available in that house every often. MO 6 was recovered from the house of A1, as per confession by A1 and MO26 ,label of MO6 , was recovered as per the confession of A3. Therefore it is proved that **A1 had access to paraquat and she was in possession of paraquat.**

97. Through PW51, it is scientifically proved that M.O.6 contained paraquat and chemical examination report would corroborate it. It is proved through PW76 as per Ext.P118 that the kapiq herbicide purchased by A3 was kept at the house of A1 and Greeshma had possession of poison on 14.10.2022. Though it was kept for agricultural purpose and used as herbicide , after seeing kapiq paraquat herbicide Greeshma conducted research on “how it works in the human body” 2 hours prior to administration of poison. She thought that it will help her because otherwise if any poison is

bought by her, she will be caught hold of . The possession of paraquat even without the aid of Ext.P118 and substantive evidence of PW76, could be proved as per Exts. P36(a), confessional statement of A3, discovery of M.O.6, Ext.P36 mahazar, proved through PW11, independent witness, Ext.P101 pendrive, in which the entire discovery of facts were video graphed for transparency etc. Apart from that the evidence fo PW6 and PW7 after having identified M.O.6 and M.O.26 further corroborate the possession of paraquat at the house of A1, after purchase by A3. PW77 testified that M.O.26 is a match label which could be wrapped around M.O.6 as reported in Ext.P119 FSL report.

98. Moreover, It is admitted by Greeshma to Judicial First Class Magistrate No. II, Thiruvananthapuram that she was in love with Sharon for the last one year and that they had every relationship including sexual contacts. It is admitted in Ext.P118, statement given to Magistrate that A3, uncle of Greeshma had purchased herbicide and kept in the house which was meant for agricultural purpose, and it was accessible to Greeshma and she was in possession of poison.

99. She was also in possession of kashayam. The procurement of 'shadanga paneeyam' by A2 itself is not material

but this is yet another circumstance . Greeshma admitted in S.313 statement that she boiled this powder for preparing kashayam. It is proved as discussed hereinafter that A1 mixed paraquat with this kashayam. Being a patient at the Gayathri Ayurveda Hospital, Poovar , A2 had underwent treatment at that hospital. PW8, Physician in that hospital for the last 22 years produced the treatment document of A2 to Police , when the police party brought A2 to that hospital. PW8 identified the prescriptions dated 24.3.2020 and 19.09.2022 . A Mahazar was prepared after referring to those prescriptions and other details which was attested by his staff. PW8 identified the prescriptions which are marked as Ext.P31 series. PW8 identified A2 in the dock. The accountant of Gayathri Hospital, PW9 also spoke in line with the testimony of PW8 that Police came with A2 to the hospital on 1.11.2022 and he further stated that PW8 identified A2 and produced prescription copies to Police after taking print out from the system, Ext.P31 series. He stated that PW8 prescribed 'shadanga paneeyam' and also produced the sample of the medicine to Police. A mahazar was prepared which was attested by PW9 and marked as Ext.P32. So, **the circumstance that A2 procured 'shadanga paneeyam as described in Ext.P31 series on 24.3.2020 and 19.09.2022**

was from Gayathri Ayurveda Hospital run by PW8 is proved.

In this connection section 8 of the Evidence Act is relevant.

100. Section 8: Motive, preparation and previous or subsequent conduct. Any fact is relevant which shows or constitutes a motive or preparation for any fact in issue or relevant fact. The conduct of any party, or of any agent to any party, to any suit or proceeding, in reference to such suit or proceeding, or in reference to any fact in issue or relevant thereto, and the conduct of any person an offence against whom is the subject of any proceeding is relevant, if such conduct influences or is influenced by any fact in issue or relevant fact, and whether it was previous or subsequent thereto.

Explanation 1. - The word "conduct" in this section does not include statements; unless those statements accompany and explain acts other than statements; but this explanation is not to affect the relevancy of statements under any other section of this Act.

Explanation 2. - When the conduct of any person is relevant, any statement made to him or in his presence and hearing, which affects such conduct, is relevant. Illustration; (c). A is tried for the murder of B by poison. The fact that, before the death of B, A

procured poison similar to that which was administered to B, is relevant.

101. It is admitted by Greeshma to Judicial First Class Magistrate No. II, Thiruvananthapuram that she was in love with Sharon for the last one year and that they had every relationship including sexual contacts. It is admitted in Ext.P118, statement given to Magistrate that A3, uncle of Greeshma had purchased herbicide and kept in her house which was meant for agricultural purpose, and it was accessible to Greeshma and she was in possession of poison. It is admitted by Greeshma to learned Magistrate that Greeshma had invited Sharon at 8 a.m. on 14.10.2022 from her mobile phone No 8925888533 to the mobile phone No. 9074171590 of Sharon and had enticed him to come to her house when her uncle and mother went out of her house. Greeshma has admitted that she sent message to Sharon at 10 a.m. that her mother and uncle left the house so that Sharon can come to her house . Greeshma specifically admitted that she was taking kashayam for meghavatham and she had discussed with Sharon about the kashayam. **It is clearly admitted by Greeshma in the statement that she had boiled the kashayam with the kashayam powder used by her mother and mixed kapiq**

herbicide in the kashayam and the concoction was given to Sharon to drink and he drank the poison.

102. **Greeshma had access to poison.** She confessed that kapiq herbicide which was brought to her home by A3 was available and hence she was in possession of poison. She confessed that she mixed this poison with kashayam. As per section 8 and illustration(c) this is relevant fact by which the element of motive could be proved by prosecution. So for the stated reasons I find that accused Greeshma was in possession of poison on 14.10.2022. Point No. 6 is found in favour of prosecution.

103. **Point No. 9 : Whether A3 has caused disappearance of evidence of murder?** In order to bring home a charge U/S 201 IPC the prosecution must prove that (i) an offence has been committed, (ii) that the accused knew or had reason to believe the commission of such an offence, (iii) with such knowledge or belief he caused any evidence of the commission of that offence to disappear or gave any information relating to that offence which he then knew or believed to be false, and (iv) that he did so as aforesaid with the intention of screening the offender from legal punishment.

104. The M.O.6 bottle was recovered by the Police as per the recovery mahazar, Ext.P36. PW11 attester to the Ext.P36 has seen the preparation of mahazar at 12.45 p.m. on 1.11.22 at Chirakulam , Ramavarmanchira. According to PW11 it was a white bottle with green cap. He deposed that A3 was brought by Police to Chirakkulam and M.O.6 was recovered from the pineapple grove near Chirakkulam. PW 11 identified M.O.6. He also identified A3 in the dock and stated that it was A3 who was brought by Police for recovery of M.O.6 . Though he has stated in the cross-examination that the cap was opened and he saw the liquid inside the M.O.6 bottle , learned Senior Advocate invited his attention to the mahazar and submitted that the cap was not opened and the same is written in the mahazar. He would say that the bottle was not packed or sealed . According to him it contained poison. It was green in colour. He does not know whether it is a paraquat content. He is a resident of Ramavarmanchira which is in Idakkodu village, Tamilnadu. He knew the surroundings and local area. Chirakkulam is a government purambokku land. It is 8-9 metres away from the road. There are houses near the Chirakkulam. The pond was not in use at that time. Chirakkulam is a lonely area. There is a nadavazhi leading to the pond. There is a temple nearby. The

M.O.6 bottle was found in a pit having depth about 4 feet. Anyone can throw a bottle into that Chirakkulam from the road . His presence is believable because he came to the Chirakkulam area when Police Jeep came. He is residing 100 metres away from Chirakkulam. He noticed Dy.S.P. C.I., 5-6 Policemen in civil dress. They came by two vehicles. The Police brought A3 to the pineapple grove. Firstly accused entered inside the pineapple grove and showed the bottle to Police . The police and accused returned with the M.O.6 bottle. Therefore, his creditworthiness could not be impeached in the cross-examination . Greeshma threw the bottle to the rubber estate near to her house from where A3 collected it . **A3 threw bottle, M.O.6 in which kapiq paraquat content had contained, in a pit inside pineapple grove adjacent to Chirakkulam, Ramavarmanchira, Idakkodu village and the same was recovered as led by A3, as per Ext.P36 mahazar. These are all relevant facts . The recovery of M.O.6 was as per the confessional statement of A3 and as lead by A3 .**

105. PW95 has given evidence that accused No. 2 and 3 were charge sheeted for offence punishable U/S 201 r/w 34 IPC. It was revealed that offence U/S 201 IPC was also alleged to have committed and hence Ext.P239 report was filed before court about

the incorporation of Section 201 r/w 34 IPC and its investigation. When it was revealed that A2 and A3 were also involved in this crime, Ext.P240 report was filed for arraying A2 and A3. Section 203 IPC is alleged against A1 only. It was put to PW95 in the cross-examination that despite the fact that Section 201 IPC is bailable, accused 2 and 3 were arrested and produced before court with remand application. S. 201 IPC is punishable for a term which may extent to 7 years in an offence which he knows or believes to have been committed is punishable with death . If it is punishable with imprisonment for life , the accused will be punished for 3 years and shall also be liable to fine. Section 302 IPC being a capital offence causing disappearance of evidence of offence of murder is punishable for a term which may extent to 7 years. PW95 explained that at the time of arrest it was suspected that accused Nos. 2 and 3 were also involved in the commission of murder and therefore, PW95 is justified in producing the accused before Magistrate after arrest with remand application. The specific contention of accused is that there is absolutely no evidence against A2 and A3, but they were falsely implicated. The prosecution case is that after having abandoned M.O.6 bottle in the nearest rubber estate by A1, in order to cause disappearance of evidence of poisoning, A2 and A3 took

the bottle and abandoned near a pond at Ramavarmanchira. **The recovery of M.O.6 was effected as lead by A3 which is proved by his disclosure statement, recovery mahazar and also the video recordings of the recovery. It proves that M.O. 6 was thrown to destroy the evidence or to cause disappearance of evidence. M.O. 26 label squarely matches with M.O. 6 bottle which was proved after FSL examination. It is proved in the FSL examination that M.O. 26 is the label of paraquat dichloride 24%. Therefore, the involvement of A3 cannot be ruled out. It is proved from the evidence of prosecution sufficiently that it was A3 who took out the M.O.6 bottle from the estate and thrown to the pond at Ramavarmanchira in order to cause disappearance of evidence. However, I find substance in the submission by learned senior advocate that there is hardly any evidence to show that A2, mother of A1 had shared common intention with A3 to dispose off M.O.6 or to cause disappearance of evidence of offence.**

106. There is no force in the submission that A3 was arrested without evidence and he was obtained from judicial custody to Police custody. It is important to note that M.O.6 was recovered as

lead by A3 after obtaining from Judicial custody to Police custody and when A3 was produced back before Magistrate, he had no complaint of harassment, threat or torture. It cannot be heard to contend, after the remand of accused for offence U/S 201 IPC, he was obtained to Police custody from judicial custody only to fabricate evidence. On the other hand, the recovery of M.O.6 was proved with all possible evidence and there is nothing to disbelieve about the act of recovery and the deposition of PW95 as to the recovery of facts U/S 27 of the Indian Evidence Act.

107. It is alleged by prosecution that yet another attempt was made by accused to break open the house of accused which was sealed by Police with the assistance of PW39, Village Officer. The same was done, PW95 deposed, in order to destroy the evidence and also to divert the investigation. PW39 had filed complaint before Palugal Police Station stating that the scene of crime protected by the Police was break open by someone. According to learned special public prosecutor only an attempt was made to break open the door of the house and the seal on front door was broken but no evidence or material objects were lost despite the attempt. PW 95 has deposed the same. Therefore, the argument by

learned senior advocate that no proper recovery was effected from the house because there was tampering of material objects , cannot be accepted . There is absolutely no evidence to prove tampering. Moreover, it was A1 who lead the Police and recovery of material objects such as MO 26 label, M.O.16 album, thali, diary, glass, vessels , record book, etc. and the same were recorded by the investigating officer in the Ext.P101 pen drive. The same were recovered after describing in the recovery mahazar and testified by the attesters . **Hence it is proved that A1 threw the bottle to the rubber estate from where A3 collected and abandoned in order to screen A1 from punishment of offence of murder.**

108. In order to prove the offence U/S 201 r/w 34 of IPC it is proved that M.O.6 was recovered as per the confessional statement of A3. PW6 identified the bottle sold to A3. While identifying label of kapiq was missing. This was done with an intention of screening A1 from punishment which is further corroborated by discovery of M.O.6. PW77 testified that M.O.26 is matching label around M.O.6. The same is mentioned in Ext.P119 FSL (Physics) report. M.O.26 label was recovered as shown by A1 . A1 threw away M.O.6 to the rubber estate. It is simply alleged that A2 and A3, in furtherance of

their common intention collected M.O.6 and moved to Ramavarmanchira. A1 had exclusive knowledge about M.O.6 wrapped with M.O.26 which was present in her house. The discovery of M.O.6 was proved by Ext.P36(a) , confessional statement by A3 to PW95 and ext. P36 mahazar proved through PW11. A1 is beneficiary when the label was removed. M.O.26 was recovered at the instance of A1 by virtue fo Ext.P48 mahazar proved through PW23, Ext.P100 series, photographs , Ext.P101 pendrive and Ext.P102 through PW65. Though it is argued by learned Special Public Prosecutor that both A1 and A2 had common intention to screen the offender, there is absolutely no evidence against A2. No any witness has stated anything against A2. A2 cannot be convicted on mere surmises and premumptions. Therefore, she is acquitted of offence U/S 201 r/w 34 of IPC.

109. As per illustration to Section 201 IPC A1 cannot be convicted for offence U/S 201 r/w 34 IPC even though A1 is beneficiary and A1 had knowledge of the removal of label. The illustration is as follows;

‘A knowing that B has murdered Z assists B to hide the body with the intention of screening B from punishment. A is liable

to imprisonment of either description for 7 years and also to fine.'

From the illustration above, Greeshma can not be convicted, but A3 alone is liable to be punished. Therefore, the argument by learned Special Public Prosecutor that A1 is to be punished for offence U/S 201 r/w 34 IPC, cannot be accepted. Hence I find that A3 is guilty of offence under section 201 IPC.

Point No.9 is partly found in favour of prosecution.

110. **Point No 10: Whether first accused gave false information respecting the offence of poisoning?** This crime was also investigated after incorporating Section 203 IPC for which PW93 filed Ext.P218 report. In order to secure a conviction U/S 203 IPC that (i) an offence has been committed, (ii) that accused knew or had reason to believe that such offence had been committed, (iii) that accused gave the information with respect to that offence, (iv) that the information so given was false, (v) that when accused gave such information she knew or believed it to be false .

111. So far as Section 203 of IPC is concerned, there is sufficient evidence from PW1 and PW89 that A1 gave false information respecting to the offence , caused hurt by poisoning

and murdered. A1 had knowledge that an offence has been committed and then she gave information respecting that offence which she knows to be false. When PW1 contacted A1 over phone, she told that it was kokilaksham kashayam. When PW1 asked about bottle's photo , Doctor's prescription and name of Doctor she replied that label of bottle was torn off, bottle washed of by her mother, and Doctor's name is not known to her. Even the cap of the bottle was not disclosed. She further lied that Doctor is visiting her home for treatment. It was in fact at Gayathri hospital , Poovar where her mother used to go from where kashayam was procured. Evidence of PW1 coupled with the recorded call in M.O.41 phone, M.O.41(a) memory card supported by Ext.P2, Section 67B certificate, Ext.P103 CD identified voice clip of Greeshma, Exts.P103(a) and P103(b) corroborated by the evidence of PW91 coupled with CDR , Ext.P198 it is proved that Greeshma gave false information respecting the offence. She also misled the Police by giving false information to the above effect. She sent photo of Maaza juice to PW3 via whatsapp which was false information. PW89 deposed that Greeshma told him that she gave kadaleekalpam ayurvedic medicine (M.O.50) and M.O.51 Maaza bottle were given (Ext.P159 mahazar). Greeshma told PW89 that

the bottle was sold out. She misled PW89 stating that it was not kokilaksham kashayam , but Kadaleekalpam. Prosecution case is that A1 gave false information as to offence of murder. Though charge was framed against A1 to A3 for offence under section 203 r/w 34 of IPC, there is hardly any evidence against A2 and A3 in this regard. Therefore, it is proved that A1 has committed offence punishable U/S 203 IPC. Point No 10 is found in favour of prosecution.

INTIMATE RELATIONSHIP BETWEEN GREESHMA AND SHARON

112. Both had admittedly sexual relationship on several occasions. Even at a time when she got engaged with PW84, she continued this relationship. ***Sharon and Greeshma had occupied room No. 2 at Golden Castle Resort, Thripparappu on 13.6.2022 and 18.07.2022 is a circumstance leading to the commission of crime.*** The same was testified by Manager of the resort, PW16. He produced the guest register of the Golden Castle Resort, as it were in daily use, the certified copies of the pages containing the relevant entries dated were produced and marked as Ext.P65 series (2 numbers) and the relevant page containing the entries on 18.07.2022 were marked as Ext.P66 series

(2 numbers) . PW16 after having identified A1 Greeshma in the dock deposed that Greeshma and Sharon had occupied the room No. 2 of the resort on both the days. He further stated that the register was signed by Sharon. He also produced the adhar copy of the guest Sharon . PW16 obtained the signature of Sharon in the ledger. PW16 deposed , he had seen Greeshma and Sharon on 13.06.2022 , 18.07.2022 and again when Police brought her to the resort for the purpose of investigation. A mahazar was prepared after seeing the hotel, registers, ledger and other details. It was attested by PW16 and the same was marked as Ext.P39. He had obtained back the original register on executing a third party kaichit signed by him which is marked as Ext.P40. The original registers were returned after receiving the certified copies. He is the custodian of the registers. He specifically deposed that on 13.06.2022 as per Ext.P65 series, one male and one female had occupied room No. 2 of the resort. The male was Sharon Raj, Parassala and his contact number was entered as 9074171590. PW16 identified the signature of Sharon in the signature column . The guests checked in at 9 a.m. on 13.06.2022 and checked out at 8.30 p.m. on that day. They paid Rs.800/- to the hotel. So also, at 9.30 a.m. on 18.07.2022 both Sharon and Greeshma occupied

Room NO. 2 of the resort, PW16 deposed after referring to Ext.P66 series. They checked out at 2p.m. that day, paid Rs. 800 and name , address, contact number, signature etc. were entered in Ext.P66 series.

113. In the cross-examination he admitted that adhar card or any document of Greeshma were not received at the hotel for which he explained that if a room is occupied by two guests, it is not required to collect the ID proof of two guests. The adhar card of Sharon and mobile number of Sharon are not disputed by the accused. However, the signature is disputed. It was put to PW16 that the signature on 13.06.2022 and 18.07.2022 were different to which PW16 explained that both were put by Sharon himself. So also, it is disputed that the signatures at the time of check in and check out in the register are different, but PW16 denied the same. It is submitted on behalf of accused that PW16 has not given statement to Investigating officer, after identifying Greeshma that Sharon and Greeshma had occupied the room of the resort twice. According to PW16 he has given such statement. The register is disputed by accused stating that PW16 does not know the provision of law under which the same is to be kept and the register is not countersigned by the GST officials. It is further pointed out that the

register does not contain page numbers , the name of owner, the building assessment number and even the name of the resort are not mentioned in the register and therefore, Ext.P65 and 66 series cannot be relied . In fact this is a tiny resort having four rooms only. It is being managed by PW16 alone. PW16 has no animosity towards Greeshma. It was only when Police brought Greeshma to the resort, he was compelled to produce the guest register and then he could identify Greeshma. The rent is only Rs. 800/- and therefore, there may not be so much facilities and in the circumstance I find substance in the submission by learned Special Public Prosecutor that being a small resort, only necessary document required to keep the identity of the guests will be kept in the hotel. It is to be believed that Sharon put his signatures in different styles so as to keep the issue of privacy . Page No. 267 of Ext.P191, Call details between Sharon and Greeshma would prove that Greeshma had contacted at 08:33:30 hours on 13.06.2022 for 18 seconds and on the same day Greeshma had called Sharon for 76 seconds at 08:14:27 hours . As per the cell ID - 405862022FA31, the first call was from Kerala Circle and the second Cell ID was 40586902C6332. According to PW91, nodal officer of Reliance Jio Infocomm, the Cell ID will be changed when the

customer moves from place to place. **The circumstance that Greeshma had enticed Sharon to come to Golden Castle Inn on 13.06.2022 is proved by the evidence of PW1, PW2, PW3, PW92 , PW16 and PW91. There is every reason to believe that both occupied the room on those days to share love including sexual contacts, as submitted by the prosecution. Therefore, the circumstance that Sharon and Greeshma had occupied room No. 2, Golden Castle Resort, Thripparappu on 13.6.2022 and 18.07.2022 for sexual intercourse is proved.** In fact Greeshma has admitted in her written statement for 313 examination that she had sexual intercourse with Sharon on 13.06.2022 and 18.07.2022 at Golden Castle Inn.

114. Dr. Krishna Priya.P, Gynecologist at Women and Children Hospital, Thycaud, PW50 had examined Greeshma as per the request of Dy.S.P., Crime Branch (Rural) after obtaining permission from Greeshma and issued Ext.P79 medico-legal certificate after conducting genital examination test. Greeshma had stated to PW50 that she had sexual intercourse with Sharon Raj at Golden Castle Hotel, Thripparappu, Tamilnadu on 13.06.2022 and 18.07.2022. Further, PW50 deposed, Greeshma had disclosed that she had

sexual relationship with Sharon in August and September at Greeshma's house. On general examination test hymen had healed tear at 3 O'clock and 9 O'clock position. The vaginal swab , vaginal smears and pubic hair were collected from the body of Greeshma and entrusted to Police. PW50 identified A1 Greeshma in the dock. learned Senior Advocate submitted that the test was conducted illegally because A1 Greeshma was not informed about the genital examination test. It is pointed out that the fact that consent was obtained for genital examination test in Ext.P79 and therefore it is a violative of individual freedom of accused. PW50 explained that Police brought Greeshma with a request from Dy.S.P., Crime Branch (Rural) for examination and after obtaining her consent, the genital examination test was conducted. According to her it was locally visible without speculum , that she had sexual intercourse with someone. Ext.P17 mahazar was prepared by the investigating officer after seeing the search history of google map. It contains two images, Ext.P4(u) IMG 20220718094906 shot on 18.07.2022 and identified by PW57 after playing Ext.P4 in the court. Ext.P4(v) image IMG 20220718094913 shot on 18.07.2022 is visible in Ext.P4 hard disk in the 'evidence collection' file . Ext.P4(u) and Ext.P4(v) are as follows:

Extraction Report - Cellebrite Reports

Data Files (2)

Images (2)

#	File Info	Additional file info
1	Name: IMG20220718094906.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094906.jpg MD5: 1e87a50c1cddd1aa155a20921532e8d3	Size (bytes): 2673824 Modified: 04-10-2022 07:41:56(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094906.jpg : 0x0 (Size: 2673824 bytes) Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 18-07-2022 09:49:06 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
2	Name: IMG20220718094913.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094913.jpg MD5: 3042627565348eefc695f3b31c0a799b	Size (bytes): 2589503 Modified: 04-10-2022 07:41:56(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094913.jpg : 0x0 (Size: 2589503 bytes) Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 18-07-2022 09:49:13 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0

This file will be available after opening 'Data from Q1'. Serial Numbers 5 and 6 are the search items in the 'evidence collection' and when it is opened and played in the court, search history report is seen and PW57 deposed that the customer has searched Golden Castle Inn Lodge, Thripparappu. Ext.P17 mahazar was prepared after seeing the Ext.P4(v). It is proved by the evidence of PW88, Nodal Officer, Bharatheeya Airtel Ltd., Kerala Circle that Greeshma had called Sharon for 18 seconds at 8 a.m. and 76 seconds at 8.14 a.m. on 13.06.2022. The Ext.P229(t) will prove the fact that Greeshma and Sharon had occupied room No. 2, Golden

Castle Inn, Thripparappu and it is evident from the genital examination report of Greeshma that she had sexual intercourse. **Therefore, by a conjoint reading of the evidence of Manager, Golden Castle Resort, Thripparappu that both had occupied the room in the resort on 13.06.22 and 18.07.2022 and the evidence of PW50 and Ext.P79 that Greeshma had recent penetrative sexual acts. This is yet another circumstance by which prosecution could prove that even at a time when marriage engagement with PW84 was conducted, Greeshma, pretending love had enticed him earlier with intention to reinstate confidence. Greeshma knew well that he is an easy prey who will obey her dictates and taking advantage of this fiduciary relationship she again enticed him with same intention and motive .**

CCTV FOOTAGES

115. The CCTV footages were copied in the pendrive by the Police from Blue Star Enterprises, Malayadi, Thekkummoodu. A staff of that shop, PW20 deposed that the shop has 4 cameras. The Police party came to the shop on 3.11.2022 requiring the CCTV footages of 14.10.2022. He issued a consent letter, Ext.P44 for the

purpose. He had seen the visuals of 14.10.2022 containing the visuals of the camera 01 of the CCTV footages. Again , the pendrive, Ext.P4 was played in the open court . PW20 identified the visuals played in the open court as that of 14.10.2022 , Friday, 10:12:52. He further stated that the entire visuals were copied from the CCTV kept in his shop in a pen drive by the Police. PW20 is not cross-examined. The evidence of PW2 that he along with Sharon went to Poovampallikonam on 14.10.2022 and arrived at the house of A1 at around 10.30 a.m. could be corroborated by the evidence of PW20.

116. PW21 was also there at the Blue Star Furniture shop and he deposed in the same line with that of PW20. PW21 further stated that the Police party examined the CCTV footages of all the four cameras. He specifically identified the visuals dated 14.10.2022 in the camera 01 when it was played by the Police at the shop and he also attested Ext.P45 mahazar prepared after seeing the visuals . Ext.P4 hard disk was played in the open court and PW21 identified the visuals of 14.10.2022 , from 10:12:54 to 10:16:53. He deposed that a motorcycle was seen passing through road in front of his shop and the same visuals is seen in the court

after playing Ext.P4 hard disk. **The fact that the visuals of 14.10.2022 Friday 10:12:52, copied to a pendrive by Police from CCTV kept at Blue Star Enterprises, Malayadi, Thekkummoodu stands proved by the evidence of PW20 and 21.**

117. The CCTV footages of 14.10.2022 were also collected from Akhil Petroleum Pump, Moovottukonam. Manager of that pump, PW24, deposed that there are six cameras in the pump and Police party came to see the monitor and DVR containing CCTV footages of 14.10.2022. PW24 has given a consent letter to Police, Ext.P49. The Police , after copying the visuals played the same and a mahazar was prepared on 3.11.2022 . She deposed that the same visuals are seen now in the court after playing Ext.P4 hard disc and she identified visuals in camera 01 . She specifically stated that the visuals from 10:13:10 to 10:15:01 are seen in camera 01. She also deposed that the visuals from 11:43:00 to 11:11: 44 are also seen in the visuals . The Police had prepared mahazar after seeing the visuals at the pump. She produced S.65 B certificate, Ext.P88 in which it has been mentioned that the visuals stored in DVR were in the custody of PW24. She would say that the DVR is a product of HikVision Company. She deposed that the

footages were stored in DVR with password security. She deposed that the recording in the camera was slow by 7.51 minutes due to the mistake in time settings . In the Ext.P49 consent letter she has mentioned the same. PW33 was also there at Akhil Petrol Pump at the time of police party copying the pendrive from the CCTV footages on 3.11.2022. He further stated that the visuals were displayed in the monitor at the time of preparing the mahazar. The mahazar was attested by him and marked as Ext.P63. PW 24 and PW33 were not cross-examined. **The fact that the visuals of Akhil Petroleum Pump recorded on 14.10.2022 which were stored in the DVR of the CCTV kept in that shop , were duly kept in the ordinary course and the same were proved by Exts. P4, P49 , P88, P63, and the testimony of PW24 and PW33 .**

118. It was PW74 who copied CCTV footages from Hikvision DVR to Sandisc 8 GB pendrive containing the visuals of Akhila Petroleum , Moovottukonam. Thereafter, Hash value Report was generated using two images and handed over the same to investigating officer. Ext.P113, Section 65B certificate was issued by PW74 for the purpose. The Hash value report was marked as Ext.P114. PW74 also copied the CCTV footages of Blue Star

furniture shop from Hikvision DVR to pendrive. Hash value was generated using the two imager of C-Dac and handed over to investigating officer. Ext.P115 is the Section 65 B certificate issued by him and Ext.P116 is its Hash value report. In the cross-examination he further stated that the Hash value was taken by him and the hash value number is D786F4A2DE77E9E96AE4579F58989B00. He further stated that the two imager , 2.0 of C-DAC Company was used for generating Hash Value. He himself copied it into pendrive.

119. Apart from direct evidence and circumstantial evidence, the prosecution relied on scientific evidence like call detail records, mobile phone tower decoding data, internet search history, and other electronic records to prove the case. The call detail records and internet protocol records are accompanied by Customer Application Forms (CAF) by the users of the mobile phone connection. All the electronic records relied by the prosecution are supported by certificates issued u/s 65 B evidence act by competent persons. The evidence tendered to that effect is reliable. The prosecution witnesses do not have any animosity to the accused. He has not detected any forgery or morphing in the Mobile

phone of the accused. The contentions of the defence regarding the fact of not determining hash value etc are not tenable.

120. The fact that the CCTV footages of Akhil Petroleum , Moovottukonam and Blue Star Furniture Shop, Thekkummoodu were duly copied from Vikvision DVR kept in those shops in to the pendrive and Hash value was generated using the two imager of C-DAC company could be proved by the evidence of PW74, Ext.P111 to P116 and M.Os. 43 , 43(a), M.O.44 and M.O.44(a) and the same would further corroborate the evidence of PW2, that he, along with Sharon Raj was travelling to Poovampallikonam from Parassala. Assistant Director , State FSL , Thiruvananthapuram , PW94 deposed that on 15.12.2022 she examined the Material Objects involved in this crime in all aspects of Cyber forensic and issued the FSL reports ,Exts P 225,P226,P227,P228, P229 series and P229(a1) series, in which also she deposed about the CCTV footges which are hereinafter explained seperately.

RECOVERY OF MATERIAL OBJECTS

121. PW13 is an attester to the Ext.P37 mahazar, prepared for the recovery of material objects from the residential

house of accused persons, Sreenilayam at Poompallikonam . He saw Police preparing the mahazar, after recovering the material objects on 6.11.2022. He identified the material objects before the court. He specifically deposed that A1 Greeshma was brought by the Police to her house and they entered inside through the back door of the house . It was Village Officer, who broke open the seal of the house. The seal contained three cloth pieces and the same were identified by PW13 and marked as M.O.8 series (3 numbers). PW13 saw Greeshma and Police entering inside the room of Greeshma and then she took a thali with yellow string from the shelf and gave it to Police. The same was identified by PW13 in the box and marked as M.O.9. PW13 deposed, a steel bangle was taken by Greeshma from the shelf of the house and handed over it to Police. PW13 identified the same and marked as M.O.10. Greeshma then took an idol of Radha and Krishnan and handed to Police . The same was identified and marked as M.O.11. At that time Greeshma told, PW13 added, that it was given to her by Sharon. The Police and accused moved to kitchen and from there she took a steel bowl and gave to Police. PW13 identified the same and marked as M.O.12. She took a glass and handed over to Police, the same was identified by PW13 and marked as M.O.13. She took

a bottle containing kashayam powder which was handed over to Police and the plastic bottle containing the kashayam powder was identified by PW13 and marked as M.O.13. He identified A1 in the dock. In the cross-examination he would admit that he is not a resident of Poovampallikonam. He is residing in Mekkodu at Tamilnadu border. He is a driver. He came to the place of occurrence as a taxi driver because he is driving a vehicle at Ilanchira. He knew that Greeshma was residing at that house. When it was put to him, he replied that he does not know whether theft occurred at the house of Greeshma on 1.11.2023. He noticed that the glass of the window was broken. He was also with the Police along with the others inside the house. He denied when it was put to him that he is involved in a theft case registered by Parassala Police. The details of the crime were not put to witness. He reiterated what is stated in the chief - examination without any room for contradiction. **The fact that as per Ext. P37 recovery mahazar , the material objects such as M.O.8 series, M.O.9 to M.O.13, were recovered from the Sreenilayam, Poovampallikonam, as led by A1 Greeshma could be proved by the testimony of PW13.**

122. When the Police party , headed by Dy.S.P. Johnson brought accused 1 and 3 before Sreenilayam, Poovampallikom. PW23,Vice President of Idaykkodu panchayath was present. He deposed that in the Police party S.I. of Police of Palukal Police Station, Tamilnadu. A1 Greeshma, A3, Nirmalakumaran Nair and others were present. He saw police preparing the mahazar when the album was produced by Greeshma to Police at the bedroom of that house. He identified the album in the court and marked as M.O.16. After verifying the album he deposed that Greeshma's pictures are seen in the album. He further deposed that Greeshma produced black pants and red top of her churidar to police and the same was identified by PW23 in the court and marked as M.O.17 and M.O.18 respectively. He saw, he deposed, Greeshma taking a medical bottle kept beneath a cot and produced before Police. The same was identified in the box and marked as M.O.19. There were two almirahs inside the house and Greeshma opened one and took out a rosary with cross. The same is identified in the court and marked as M.O.20. PW23 further deposed that Greeshma took out few tablets from a glass bottle kept on the table in the dining hall and produced before Police. He stated that it were paracetamol tablets and the same can be identified by him . Witness identified three

strips of paracetamol tablets and marked as M.O.21 series. One strip contained 10 tablets. The other one was a dolo 650 strip from which three tablets were seen used and the witness identified the remaining 11 tablets in the strips and marked as M.O.22. At the main hall of the house Greeshma took out two laptops and chargers which were kept beneath a T.V. stand and handed over to Police. One was a Lenova Laptop which was given to Police. The same was identified by the witness in the court and was marked as M.O. 23. Its charger is M.O.24. The bag containing M.O.23 and M.O.24 is M.O.25. The above recovery is corroborated by Ext.100 series , Ext.P101 pendrive in which the recovery was videographed and Ext.P102, Section 65B certificate.

123. They proceeded towards the kitchen area . PW23 saw Greeshma taking out a label from rubber sheet waste kept beneath a staircase at kitchen area. PW23 further stated that it was a label of kapiq with a picture of leaf and the same was handed over to Police by Greeshma. The same was also identified by PW23 at the witness box and marked as M.O.26. **This is an important circumstance by which prosecution could prove that Greeshma, after removing the label from the kapiq bottle threw it to the rubber estate and kept the label beneath the**

staircase of the kitchen area of her house. From the bed room two glass pieces were recovered by the Police which were lying broken on the ground and it were black tinted glass. The same were identified and marked as M.O.27 series, two numbers. PW23 noticed the diary, kept on the table at the hall of the house . It was brown in colour and was that of Malabar Gold. In the diary Greeshma had written her address, he added. He had seen the mobile number of Greeshma as 9487115044 and also the email address [greeshmass@gmail](mailto:greeshmass@gmail.com) .com in the first page of the diary. The same was produced by Greeshma to Police. Witness identified the diary and marked as M.O. 28. Further, few officials collected soil samples from the compound of the house and PW23 show the same handing over to the Police by the officials, after sealing the packets. A detailed mahazar was prepared on 6.11.2022 and the same was attested by PW23 and marked as Ext.48. He also identified the accused 1 and 3 in the dock.

124. Learned Senior Advocate submitted that it is not mentioned anywhere in the mahazar that he saw Greeshma handing over the material objects to the Police . The same was denied by PW23 and in the re-examination he has clarified the position that he stated in the mahazar at the very beginning that he

saw Greeshma handing over the following material objects . He is residing 5 kms away from Sreenilayam. Nobody was seen residing at Greeshma's house on 6.11.2022. The gate was lying open. The house is facing towards west. The door in front of the house was also opened , when he came to the house. He further stated that Police people were there both inside the house and the compound of that house. He does not know who opened the door. He did not see the key used for opening the door. He also did not notice the key in the hands of A1 and A3. In the circumstances learned Senior Advocate submitted that the material objects were already planted there and much reliance cannot be placed on the evidence of PW23 in connection with the recovery of material objects. PW23 does not know about the alleged house trespass into the house of Greeshma on 1.11.2022. He was there for about 1 ½ hours with the police through out the process. He denied the suggestion put to him that before the arrival of PW23 Police had planted the material objects in the house. The above recovery is corroborated by Ext.100 series , Ext.P101 pendrive in which the recovery was videographed and Ext.P102, Section 65B certificate.

125. PW38, who was in additional charge of Devicodu Village Office, was present at the time of search conducted at

Sreenilayam , residential house of accused . PW38 deposed in line with the deposition of PW23 . PW38 deposed that in the presence of Kerala and Tamilnadu Police parties, he had sealed the house , Sreenilayam . On 5.11.2022 he got a telephonic message from Parassala Police Station that someone had broken the seal. As he wanted to attend a matter at Hon'ble High Court, he contacted the in charge, Idakkodu Village Officer, PW39, who visited Sreenilayam house and filed a report to Palugal Police. PW38 again was present at Sreenilayam on 6.11.2022 and he broke open the seal of the house in the presence of Police, A1 and A3. The remaining sealed portions were cut and removed by PW38 and PW38 identified MO 8 series. Both the Police parties, PW38 and accused persons entered inside the house . He saw Greeshma took a thali , M.O.9 and handed to Police. He identified the same before court. PW38 deposed , Greeshma took a steel bangle and handed to Police and witness identified M.O.10 steel bangle in the box. He deposed that both M.O.9 and M.O.10 were taken from the almirah kept in the bed room. He witnessed the idol of Radha and Krishnan, M.O.11, taken by Greeshma and handing over to the Police. He identified the same in the box. From the kitchen a bowl and glass were taken by Greeshma and handed to Police which were identified by PW38

and marked as M.O.12 and M.O.13 . He also saw Greeshma taking M.O.14 plastic bottle containing the 'choornam'. He identified his signature in Ext.P37 mahazar prepared for the recovery of the material objects.

126. Again at 3 p.m. on that day PW38 had to assist the investigating team and went to Sreenilayam. He saw Greeshma showing the place of occurrence, the cot in the bed room to the police. M.O.16 album was taken from the cot and handed over to Police , stated PW38. She took M.O.17 and M.O. 18 black pants and top and handed over to Police. The medical bottle, M.O.19, the rosary with cross, M.O.20, were also taken by Greeshma and handed to Police. PW 38 stated in tune with the evidence of PW23 that from the dining hall M.O.21 series, M.O.22 were taken by her and entrusted to the Police. M.O.23 laptop , M.O. 24 charger, were also identified by PW38 and deposed that the same were shown by Greeshma to the Police. PW38 deposed corroborating the version of PW23 that M.O.26 label was taken by Greeshma from the staircase area of the kitchen and given to Police. He identified the same in the box. He also identified M.O.27 series, glass pieces , M.O.28 diary, which were recovered as shown by Greeshma by the Police. He saw scientific officers collecting samples of soil from the

compound and entrusting to police. After having identified the above M.O.s PW38 attested Ext.P38 mahazar. He specifically identified A1 and A3 in the dock. He further stated that he had prepared location sketch of Sreenilayam as per the request of Police. Which was marked as Ext.P70. It contains the bed room of the Greeshma at Sreenilayam. The building is in the name of father and mother of Greeshma which is proved by the Ext.P71 possession certificate issued by PW38. His statement was also recorded by Police.

127. In the cross-examination, nothing material could be brought to disbelieve his versions so as to challenge the recovery of material objects from the residential house of accused. It is brought in the cross-examination of PW38 that the residential house of accused, Sreenilayam is situated in Devicodu village, which is in the state of Tamilnadu and therefore, the alleged occurrence took place at Tamilnadu. PW38 came to the place of occurrence as per the instruction of Palugal Police. He came at 10 a.m. and at that time, the house was found locked. The gate has no lock. Nobody was residing in that house. The Police people came to the place at around 11 a.m. Admittedly, there was no inspection of that house on 1.11.2022. PW38 sealed that house on 1.11.2022, as per the

instruction of Dy.S.P. The seal was broken on 4.11.2022 and the same was reported on 5.11.2022. Who has broken the seal is not known to PW38. However, nothing was reportedly stolen from the house. This house is 1 km away from the office of PW38. The Police had instructed him earlier to open the house on 1.11.2022. The Police people came with A1 and A3 and all the people entered inside the house together. According to him, two gates and two doors were sealed by him. However, the front door was not sealed because it was wooden door which can not be sealed. The seal of the back door of the house was opened by him and all entered inside the house through that door. Except the recovery of material objects, A1 has not made any confession to Police in his presence. He specifically stated that M.O 26 was in beneath a staircase, which is outside the house and M.O.26 was taken after the recovery of other items from the house. He further deposed that the kapiq label was taken both by scientific officer and Police, as shown by Greeshma. Learned Senior Advocate then put to PW38 that he specifically gave statement to Police that M.O.26 label was recovered by the Police, as shown by Greeshma, to which it was explained in the re-examination that everything was recovered by the Police, as shown by Greeshma, taken by her and handed over

to Police, after describing the same in the mahazar. After referring to Ext.P48, PW38 deposed that it is specifically mentioned that M.O.26 was duly recovered. Therefore, it is not necessary to say invariably in all sentences or statements that accused has shown to Police or accused has taken and handed over to Police and Police took the same after describing in the mahazar. In fact evidence is given by PW38 in such a manner. PW38 is not an interested witness. He is a Government servant of Tamilnadu state and has no connection with accused or relatives of the victim. His evidence is trustworthy. **The recovery of M.O.26 as described in Ext.P14, the kapiq label, from the residential house of A1, which was kept by A1 under a staircase, after the commission of crime and the attester, PW38, vouchsafed the recovery , is an important circumstance. The recovery of material objects such as M.O.9, thali, M.O.10, steel bangle , M.O.11 Radha-Krishna idol, M.O.12 bowl, M.O.13 glass, M.O.14 plastic bottle, M.O.16, album, M.O.17 black pants of Greeshma and M.O.18 churidar of Greeshma, M.O.19 medical bottle, M.O.20 rosary with cross, M.O.21 paracetamol strips, M.O.22 Dolo strip, M.O.23 Laptop, M.O.24 charger, M.O.26 kapiq label. M.O.27 series, glass pieces, M.O.28 diary of Greeshma**

would be proved by the evidence of PW38. The recovery mahazars , Ext.P3, Ext.P14 and Ext.P48 could be proved by the evidence of PW38. Ext.P70, location sketch and Ext.P71, possession certificate would be proved by the evidence of PW38.

128. PW48 was present at the time of PW1 producing the dresses worn by Sharon, M.O.1 and M.O.2 before Police. He also identified M.O.3, M.O.4 and M.O.31(a black coloured mask), M.O.32 a piece of kerchief, M.O.33, a carry bag. A mahazar was prepared for the purpose. It was attested by PW48 and the same was marked as Ext.P76, PW48 identified M.O. 34 shirt worn by Sharon at the hospital, M.O. 35, the dhoti worn by Sharon, M.O.36 series bed sheets used by him, M.O.38, the cover used by Sharon to spit, M.O.39 kerchief used by Sharon at hospital. He also identified the signature in Ext.P77 mahazar prepared for having identified the above M.Os. Next day the mobile phone of Sharon M.O.5 and its SIM card, M.O.5(a) were produced before court and Ext.P78 mahazar was prepared by the Police after seeing the same. PW48 was not cross-examined.

129. The Police Photographer, Thiruvananthapuram Rural for the last 8 years, PW65 accompanied the Police party at the place of

occurrence and various other places for taking photographs and videos from different angles . PW65 deposed that those photographs and videos were copied in the department computer, he took printouts of it and the pendrive and photographs were produced before the investigating officer. **The 13 photo sheets, printouts taken by him were identified by PW65 and marked as Ext.P100 series (13 numbers). This evidence will corroborate the recovery of material objects. The first photograph, PW65 deposed, is the one taken at bushes near Ramavarmanchira in which a white bottle was seen recovered. This photograph is marked as Ext.P100(a). The location sketch of the pond , near Ramavarmanchira of idaykkodu village was prepared by the Village Officer, PW 39 and the location sketch was marked as Ext.P72.** The fact that the recovery was effected as disclosed and lead by A3 is corroborated by the photograph. PW65 identified A3 in the dock. This is the place where A3 has caused disappearance of evidence of murder. The second photograph is the 'Sreenilayam' house of accused and the rubber plantation adjacent to that house. In the second photograph, PW65 deposed, A3 was seen showing his scooter parked in that house. The said photograph was marked as

Ext.P100(b). The third photograph is the seal which was done by the village officer with Police party on three doors of 'Sreenilayam'. In the third sheet the photo in which the third accused showing the shop from where he purchased kapiq herbicide is also seen and the same was identified by PW65. The said sheet containing the photograph was marked as Ext.P100(c). The fourth sheet of the photograph are identified by PW65 in which, PW65 deposed , A2 Sindhu was standing at Gayathri Hospital from where she procured 'Shadangapaneeyam kashayam powder'. In the photograph the prescription of the kashayam powder and kashayam powder samples were also identified by PW65. He also identified, Sindhu, A2 in the dock. The said sheet of the photograph was marked as Ext.100(d). PW65 further deposed , in the 5th sheet of the photograph it is seen, A1 was standing at Sreenilayam house and recovery of thali from Greeshma by police. PW65 identified A1 in the dock and the said sheet of photograph is marked as Ext.P100(e). PW65 identified the photograph in which 'thali', Sreekrishna idol and a bowl were taken by Greeshma and handed over to investigating officer. The said sheet of photograph is marked as Ext.P100 (f). Close up of a steel glass, and bowl and a tin containing kashayam powder were taken and handed over by

Greeshma to Police, as per Ext.P100(g) sheet of the photograph. The recovery of medical bottle and label would be further proved by Ext.P100(h) sheet of the photograph . It is also seen in the 8th sheet of the photograph, Ext.P100(h), that scientific officer was seen collecting rosary with cross, dresses of A1, medical bottle label etc.

130. Thereafter the police team proceeded to the Veli tourist village . PW65 identified the photograph in which Veli tourist village and Kadaloram restaurant were seen, where A1 Greeshma is seen with Police, marked as Ext.P100(i). In the Ext.P100(j) , 10th sheet of the photograph Greeshma was standing along with Police at Vettukadu church. The photos of restaurant are also seen in that sheet of photograph. In the 11th one, PW65 deposed, those are College at Neyyar, CSI Christian College, Kassali stores from which juice was purchased by A1 and the same were shown by A1 to Police in the photograph. The same was marked as Ext.P100(k). The 12th sheet of photograph is of Greeshma standing along with Police near Kuzhithura bridge. The same is marked as Ext.P100(l). The 13th sheet are the photographs in which A1, along with Police are standing inside the Golden Castle Inn, collecting evidence from the hotel, which includes the hotel register also. The same was marked as Ext.100(m). PW65 deposed that all these photographs

were taken by him along with Assistant Police Photographer, Biraj. He further stated that pendrive of all the photographs and videos can be identified by him, marked as Ext.P101. The pendrive is played in the open court and PW 65 identified the Ext P 100 series and other videos pertaining to recovery. He issued Section 65B certificate, Ext.P102, certifying that Ext.P100 series and P101 were in his safe custody .

131. In the cross-examination he reiterated that Ext.P100 series and Ext.P101 are the real visuals taken from the various places of occurrence. It were shot in four days. The videos were not continuously recorded. This is not possible , PW65 explained that he recorded only those visuals, whenever the investigating officer required to do so. He did not ask A1, A2 or A3 whether to record any particular portion. There is no such practice. Moreover, PW65 have no power to ask accused persons whether to record or shoot any particular thing or place of occurrence. The photographs and videos were taken on 1.11.2022 and the certificate was issued on 16.1.2023, it is pointed out. The last video was shot on 9.11.2022. The certificate was issued on 16.1.2023 and the delay occurred, according to PW65, because the request was made to issue the certificate on that day only. Accused could not challenge the

credibility of the photographs . PW65 and Assistant Police photographer were in the service and they used to take photographs of the crime scenes. There are only two cameras in Thiruvananthapuram District, used by the Police photographers. PW65 deposed, one camera was used for taking images and the other one was used for recording videos. Admittedly the memory card inside the camera is the original device and nothing is stated about the identification of memory card and the device in Section S.65B certificates. PW65 deposed that both cameras were in regular use, were in his custody and the same was mentioned in the certificates. He himself transferred the data to computer. He took out the memory card from the camera and pasted in the department computer using card reader. This is the usual procedure and according to PW65 such a procedure need not be mentioned in the certificate. The details of the pendrive is mentioned in the certificate. Then learned Senior Advocate submitted that when the memory card is pasted in the department computer the same will directly be stored in the hard disc. Therefore, the identification of that computer should be disclosed in the certificate. In fact PW65 has stated in the certificate that it was stored in the department computer. There are only two

photographers and two cameras in a district and it is to be presumed that these images and videos are to be stored in a department computer and nothing is brought to disbelieve the safety and custody of the department computer by PW65. All the visuals were already spoken to by mahazar witnesses. **Ext.P100 series, Exts P101, P102 and the oral testimony of PW65 would further corroborate the recovery of material objects.** In the circumstance there is no substance in the submission by learned senior advocate for the accused that pendrive is a copy of copy. It is true that the images and videos were copied to pendrive from the hard disc of the department computer . However, not even a suggestion was put to PW65 as to whether the images and videos contained in Ext.P100 series were tampered. PW65 is aware of chain of custody with regard to digital evidence. He is not an interested witness and he has no animosity against accused.

132. In **Gopalakrishnan @ Dilip. V. State of Kerala 2019 (5) KHC 794**, the Supreme Court has distinguished between real evidence in the form of material objects and documents and held that if the contents in the form of video footage/ clippings are to be relied, of electronic records like Pen drive, memory card etc., they are to be considered as documents. For deciding regarding

admissibility of electronic records and the issue whether the court can view the images, video footage/clippings etc., in electronic records like pen drives, mobile phone memory, and compact discs it would be apposite to refer to the above referred decision wherein the Supreme Court analysed both Indian and English laws on the point and held as follows: “ It can be safely deduced from the aforementioned expositions that the basis of classifying article as a "document" depends upon the information which is inscribed and not on where it is inscribed. It may be useful to advert to the exposition of this Court holding that tape records of speeches, were "documents" under S. 3 of the 1872 Act, which stand on no different footing than photographs and are held admissible in evidence. It is by now well established that the electronic record produced for the inspection of the Court is documentary evidence under S.3 of the 1872 Act. **The evidence of PW65, Ext.P100 series, 13 numbers, Ext.P101 and P102 would corroborate the recovery of material objects from the possession of accused 1 to 3 including the recovery of kapiq bottle , label, kashayam powder etc.**

MEDICAL EVIDENCE

133. **Point Nos 3, 5 and 8** : The answer to the questions whether Sharon died of poison and Greeshma with intention to cause hurt to his internal organs and also with intention to cause his death administered kashayam mixed with paraquat is available in abundant in medical evidence. When the court has to form an opinion upon a point of science the opinions upon that point of persons specially skilled in such science are relevant facts U/S 45 of the Indian Evidence Act. The medical evidence can be used to corroborate other types of evidence. Large number of opinion evidence is available in connection with death of Sharon. Of course, the Doctors are not witnesses of facts and their testimony does not constitute substantive evidence, but their opinions are relevant facts.

134. Whether Sharon died of poison said to have been administered is proved with sufficient medical evidence coupled with relevant facts of expert opinion. Sharon was firstly brought at Taluk Government Hospital, Parassala on 14.10.2022. The O.P register of that hospital dated 14.10.2022 was produced by Attendant Gr.1, PW25 . A mahazar was prepared by the Police, seeing the register. After that she obtained back the register as it

was in daily use , after executing Ext.P50 kaichit. The original was produced before court. But the same was returned because it is in daily use. The custodian of the register is PW25 who produced the certified copy of the relevant page of the register, page No. 152 and its reverse side which is marked as Ext.P51. When it was put in the cross-examination whether she has got office order to keep the register, she has replied that she is the attendant who is keeping the medical records as per the direction of Superintendent. She further stated that permanent document is available at MRL at the hospital authorizing her to keep the records. It is not in her handwriting and admittedly the office order authorizing her to keep records is not produced. She Sharon died of poison denied the suggestion that she has no authority to produce the register. The contents of Ext.P51 are not proved. PW25 has produced Ext.P51 O.P. Register on undertaking Ext.P50 before court. So also the daily report register was produced by PW26 , Nurse of the Taluk Hospital, Parassala. She deposed that Police has prepared a mahazar after seeing the register. She obtained it back after executing Ext.P 52 kaichit as it was in daily use. However, the certified copy of the daily report register containing the relevant entry of OP No. 168623 of 14.10.2022 at 4.15 p.m. was produced and marked as Ext.P53.

The original was returned to PW26 . She deposed that it was recorded in Ext.P53 that Sharon, 23 years was brought at 4.15 p.m. on 14.10.2022 and it was diagnosed as query of gastritis. She deposed that patient was brought with complaint of vomiting and loose stools . It is pointed out by learned Senior Advocate that as per Ext.P53 register there is a correction and after scoring out 5 , 4 was added. It was explained by PW26 in the re-examination that it was not an overwriting. The same is believable because the next entry was recorded at 4.30 p.m. and so on. **Sharon was brought at 4.15 p.m. on 14.10.2022 with complaint of vomiting and loose stools at Taluk Hospital, Parassala, is a circumstance. It could be proved by the testimonies of PWs 1, 25 and 26 and also Exts. P50, 51, 52 and 53 that Sharon had vomiting and loose stools which is further corroborated by the whatsapp messages sent by Sharon to Greeshma vide Ext.P229(a1 series).**

135. Sharon was attended by PW27, Dr.Varun R.V. , Assistant Surgeon at Casualty , Taluk Hospital, Parassala as on 14.10.2022. He perused the O.P . records of the hospital and deposed that Sharon was brought to the hospital with complaint of vomiting and loose stools at around 4 p.m. on 14.10.2022. PW27 deposed that

patient had severe stomach pain and he was not able to speak and the details were narrated by his brother PW1. PW27, on a preliminary diagnosis found that it was gastritis because the patient had loose stools and vomiting. Ext.P10 was shown to PW27 and he deposed that he recorded the original diagnosis in the first page . PW27 gave him Pantop and Emset injuction and also gave IVM. Drip was given and in the mean time patient wanted to go to toilet. He was sent along with bystander. The bystander informed PW 27 that it was black in colour and blood was found while passing stools . PW27 explained the conditions to the bystander . PW 27 deposed that he had told PW1 that it may be either liver disease or poisoning. **The patient was referred to Government Medical Hospital, Thiruvananthapuram. A 108 ambulance was arranged by PW27 is a circumstance, leading to the offence of poisoning.** Before the arrival of ambulance , Sharon vomited again at 5.16 p,m. The same was recorded in Ext.P10. Phenergial injuction was also given while referring to Medical College Hospital.

136. The Police had seized the treatment documents of Sharon from the hospital on 11.11.2022. They prepared mahazar after referring to OP register and daily report register . He attested both

the mahazars prepared for OP register, Ext.P54 and daily report register, Ext.P55. According to PW27 Sharon was firstly brought to casualty and he identified Ext.P51 OP register copy of OP No. 168623 dated 14.10.2022. PW27 also identified the daily report register copy , Ext.P53 and further stated that the treatment details of Sharon are recorded in Ext.51 and Ext. P 53. According to him, in the daily register the details contained in the OP ticket and also the details elicited from the patient will be recorded in the daily report register. In Ext.P53 also PW27 prescribed in his handwriting about the treatment details such as patient had gastritis , vomiting loose stools and prescribed the medicines, Pantop , Empset injunction and IVM. He has specifically recorded that in Ext.P53 daily report register Sharon had black coloured stools. He also recorded 'P.U.Bleed' ? which according to PW27 is peptic ulcer. PW27 had suspected internal bleeding. He had mentioned about the reference to Medical College Hospital in Ext.P53. He has given statement to Police in the cross-examination .

137. In the cross-examination PW27 further stated that patient was conscious and his BP was normal. It was further stated by PW27 that the patient was crying, he was able to talk, but he could not talk. He specifically stated in the cross-examination that he saw

black stools. He did not notice the history because the patient did not say anything. **Sharon was brought to Parassala Taluk Hospital at around 4 p.m. on 14.10.2022 with complaint of vomiting, loose stools , that he had severe stomach pain, that he was not able to speak, he had blood and black colour in the stools, that the Doctor suspected poisoning could be proved by the evidence of PW1, PW27 and the exhibits P10, P51, P53, P54 , P55, P229(a1) series.**

138. The Librarian who is in charge of the Medical records of Medical College Hospital, Thiruvananthapuram, PW28 produced the case records of Sharon before court. It contains the details of treatment given to Sharon Raj. He was treated as IP 74255/22. The case records were produced before the Sub Inspector of Police, Parassala. The same was taken into custody after describing it in the mahazar, which is attested by PW28 and marked as Ext.P56. The case records are marked as Ext.P57 series. Father of Sharon and his friend, PW29 produced the Lab Report and ECG report of Sharon to Police Station, Parassala. The same were taken into custody after describing in the mahazar which was attested by PW29 and marked as Ext.P58. The lab reports were marked as Ext.P59 series and ECG reports were marked as Ext.P60 series. PWs

28 and 29 were not cross-examined because they did not speak about the contents of case records and lab reports.

139. It was PW36, Casualty Medical Officer, Government Fort Hospital, Thiruvananthapuram who treated Sharon at 3.59 p.m. on 16.10.2022 . She deposed, Sharon was brought with a medical condition of post nasal drip. He had difficulty in throat while swallowing cough , food and also had fatigue . PW36 gave him ringal lactate IV drip at observation room. She suggested tab Montec LC for five days. She asked the patient to speak the name of place 'Thiruvananthapuram'. Sharon was not able to complete , but stopped in the midway saying, 'Thiru' only. PW36 suspected difficulty in the vocal cord of Sharon. He suggested to contact ENT surgeon and according to her in order to find out the complaint to vocal cord , internal Laryngoscope is to be done. As the patient had difficulty , PW 36 also suggested endoscopy. She identified her handwriting in Ext.P10(b). The same was recorded on 16.10.2022. PW36 deposed that duty Sister had prepared evening duty report of 16.10.2022 in which she had recorded that Sharon had fatigue . PW36 identified the signature of Dr. Stanley , Superintendent of the Fort Hospital and the evening duty report was marked as Ext.P67.

The OPD register copy of the Fort Hospital, duly certified by the Superintendent having token No. 67 of the patient Sharon Raj was also identified by PW 36 and document was marked as Ext.P68. PW36 had given statement to Police.

140. In the cross-examination PW36 further stated that mother and brother of Sharon Raj were the bystanders. PW36 admitted that no one has stated about the reason for such medical condition and also about black loose stools. However, she noticed the earlier treatment given to the patient for gastritis. According to her, if a patient has gastro esophageal and peptic ulcer, patient would have gastritis. PW36 did not notice the signs of loose motion or vomiting. The bystanders of the patient did not state about the clinical history and the cause of the decease to PW36. She referred the patient to ENT because of the symptoms noticed , for endoscopy. She would say that montecLC is generally a medicine for allergy. **Therefore , two days after having consumed the kashayam mixed with the concoction laced with poison he had difficulty to speak, post nasal drip, difficult to swallow food, complaint to vocal cord, fatigue , secretion from the nose, drain in the throat, proved by the evidence of PW36, Ext.P10(b), Ext.P67 and Ext.P68.**

141. Dr. Hemantu. R., Medical Officer, General Medicine, Medical College Hospital, Thiruvananthapuram, PW40, had deposed that he had treated Sharon . Ext.P57 was shown to him. He was on duty from 8 a.m. to 8 p.m. At 6.51 p.m. on 14.10.2022 Sharon was brought to Medical College Hospital as referred from Taluk Hospital, Parassala with complaint of vomiting and loose stools. PW40 had also provisionally diagnosed the symptoms as acute gastro. PW40 directed blood examination . IV has been given to patient. The prescriptions and medical advices on page No. 33 and 34 of Ext.P57 were marked as Ext.P57(a). The same was signed by him. Ext.P57(a) is reproduced for the clarity.

Ext.P57(a)	25/10/2024	<p>M5TRIAGE 7.00 p.m, THQ Parassala No known comorbidities.</p> <p>C/o</p> <ul style="list-style-type: none"> - Multiple episodes of vomiting - Multiple episodes of loose stools - Numbness of upper limb and lower limb - to day morning - No H/o HEMETEMESIS patient was consulted at THQ Parassala. - H/o dark coloured stools + - No H/o black tarry stools - O/E conscious oriented - PR 70 BPM BP 128/70 SPO2 - 95% RA
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		- CVS S1S2 heard Chest clear - P/A - Soft NT
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He has given statement to Police also. In the cross-examination he would admit that Ext.P57(a) is not in his handwriting . He has stated that it was written under his instruction by the duty Doctor, Savitha. He would further admit that as per Ext.P57(a) it cannot be stated that he had treated the patient. However, he has deposed that at 8 p.m. on that day, the patient was under his observation and after 8 p.m, Dr. Savitha was observing the patient, according to PW40. Ext.P57(a) was written by Dr.Savitha after PW40 attended the patient. The entire medical advices containing Ext.P57 (a) were directed to be written by PW40. He had opportunity to interact with Sharon . The history was stated by Sharon himself. But the presence of blood in the stools were not stated by patient. The fact that PW40 treated Sharon from 06.51 p.m. to 8 p.m. on 14.10.2022 at General Medicine wing of Medical College Hospital, Thiruvananthapuram and the entries contained in Ext.P57(a) written by Dr.Savitha as per the instruction of PW40 and also the fact that Sharon had vomiting, loose stools etc could be proved by the evidence of PW40.

142. After 8 p.m. of 14.10.22 till 8.a.m. of 15.10.22, Dr.Salini.N.R. , Assistant Professor in General Medicine, Government Medical College Hospital, Thiruvananthapuram , PW41 had treated Sharon . She deposed that she took over the case of Sharon from PW40 at observation ward. Sharon had complained of vomiting and loose stools. However, the vomiting and loose stools were cured at the time of her treatment. The same was recorded in Ext.P57(a). In the blood test, the conditions of the kidney and liver and the general condition of the patient were normal. The lab result was also normal and hence the patient was discharged with a direction to take medicines for 5 days and to review thereafter, if necessary. PW41 identified the blood test result Ext.P73(series) and ECG of Sharon, Ext.P74. She has given statement to Police. In the cross-examination she has stated that she had talked to Sharon about the medical condition and at that time he never disclosed about the poisoning and all. Had it been so disposed, it would have been considered as medico legal terms. Admittedly, the poisoning was not suspected. At that time , PW41 also diagnosed that it was a probable case of gastritis. **The fact that at 8 p.m. on 14.10.2022 and p.m. on 15.10.2022 the medical condition of the patient such as loose stools, vomiting, liver, kidney**

functions were normal because by that time the immediate effect of poison has been over and Sharon was discharged as the lab report also shows that everything was normal.

143. ENT special surgeon , Government Fort Hospital, who retired from the service in 1997 , PW43, started private practice at Vallakkadavu, He had examined Sharon at 10 am on 15.10.2022. PW43 deposed that the patient was very tired. He had complaint of fever and throat pain. There was an oral cavity inflammation . The patient had pharagitis and tonsillitis. The same was recorded in Ext.P10(a). He identified his prescriptions in Ext.P10(a), He had prescribed Amox, betadine for mouth wash and nodol 650. This fact is not disputed by accused. **Therefore, the chain of circumstance that immediately after discharge from the Medical Collage, his general medical condition were normal but on the same day Sharon had developed fever, throat pain, pharagitis, tonsillitis, oral cavity inflammation at 10 a.m on 15.10.2022 could be proved .**

144. Assistant Professor, Dermatology and Venereology Department, Medical College Hospital, Thiruvananthapuram, PW44 had treated Sharon Raj at 10.30 a.m. - 11 a.m on 17.10.2022 at the skin OP. He had mucosa erosions. PW44 diagnosed complaint of

lips, throat, tongue and mucosa. The history of the patient was vomiting and diarrhea. Sore throat and oral erosions on the next day and again fever on the next day. Patient had told PW44 that he had consumed turmeric gargle five times, zedot and ciplox. PW44 prescribed mucaine gel for pain, Chlor hexidine for mouth wash and Betnesol tablet, squish for gargling. The token No. 110, in page No. 35 of Ext.P57 is in the handwriting of PW44 which was prescribed by her and the same was marked as Ext.57(b). According to her the mucosa got severe due to infection induced, drug induced, and poison induced. PW44 was not cross-examined. Ext.P57(b) is as follows:

Ext.P57(b)	26/10/2024	<p>Case see in D1 OP C/o. Vomiting diarrhea - 14/10/2022 took T Darolac Zedott(anti diarrheal), T pantocid, T Emeset, T Ciplox, Next day patient had sore throat with erosions followed by fever on the next day. Patient used turmeric gargle (5 times yesterday) O/E noted multiple erosion on the buccal mucosa, Pharynx, lips <u>IMP</u></p>
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		Mucositis ? Infection ? drug drg (zedott)
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145. Dr. Sherin Sha.S., Assistant Professor, ENT, Government Medical College Hospital, Thiruvananthapuram , PW 45 deposed that Sharon was brought to the hospital as per token No. 93 in Ext.57, with complaint of throat pain, difficulty to swallow food and ulceration in oral cavity. The patient was referred to dermatology upon a suspicion of food allergy at 1 p.m. on 17.10.2022 . He was admitted again and his blood investigation was done. At that time the liver function, renal function , blood urea , creatinine and bilirubin were alarmingly high. According to PW45 normal blood urea is 40 mg, but after the investigation it was 110 mg. Creatinine normal value is 1.14, but on blood examination it was 8.5. The patient was directed to undergo dialysis and he was referred from ENT to medical ICU on the same day. PW45 opined that there may be some poisoning because liver function and kidney function have reached to be hepatorenal failure stage. It were Junior residents Dr.Karthika and Dr. Anusha who wrote token No. 93 in Ext.P57 as per the instruction of PW45. The said token No. 93 was marked as Ext.P57(c). In the cross-examination PW45 submitted that on

examination patient was conscious and oriented and medical findings were recorded in Ext.P57(c). However, it is admitted by PW45 that in Ext.P57 series it was not written that it is a suspected poisoning. She had given opinion orally only. She had enquired about the history and had asked to patient whether he had any unusual food or drink and at that time patient replied that he did not. Ext.P57(c) is reproduced as follows:

Ext.P57(c)	26/10/2024	<p>E3C 7.45 a.m</p> <p>C/o. Sorethroat in 4 days, fever in 2 days, fous smelling discharge with puzzle from oral cavity into two days. No travel history</p> <p>Patient has visited on local hospital on 15/10/2022</p> <p>Tablet Moxclav 625 TDS, Betadine mouth gargle 15 ml - 0-15 ml</p> <p>No comorbis</p> <p>TC 13,900, N - 83, L - 10, E - 5.6%, Biochem - N</p> <p>O/E: Concious oriented PR 78/BP 110/70 mmHg, SPO2 99% in RA</p> <p>Oral cavity mouth opening adequate entire tounge dorsum</p> <p>AR pillors, PPW - pus covered</p> <p>? JD Notes</p> <p>Saline wash</p>
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		<p>PPW - slough + No peristonsillor budge C/S/B duty Mo <u>Adv</u> 1. X-ray, STN Lateral view 2. IV fluid - 1 pint Ns No respiratory distress/stridor 3. OMFS Cx 4. GRBS 5. Inj. P mol 1 g IV Stat ATD</p> <p style="text-align: right;">Sd/- (JRENT)</p>
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The fact that at 9.30 a.m. on 17.10.2022 as per token No.93, Ext.P57(c) , the condition of Sharon has worsened because at that time, it was proved after a blood examination that liver function, renal function, blood urea, creatinine and bilirubin were alarmingly high which indicates that liver function and kidney function has reached at a hepatorenal failure stage, which according to PW45 is a suspected poisoning. It is yet another circumstance.

146. Dr. Anil Sathyadas, Associate Professor, Critical Care Unit, Government Medical College Hospital, Thiruvananthapuram, PW46

had examined Sharon Raj at 5 p.m. on 20.10.2022 at anesthesia ICU. The history was recorded by him. Informant was father of Sharon. The alleged history was intake of kokilasham kashayam along with ballathaka seeds followed by fruity on 14.10.2022. The patient had complaint of vomiting greenish colour continuously along with blood stained loose stools. Patient was taken from Parassala local hospital to Medical College Hospital, Thiruvananthapuram. PW46 deposed that Sharon developed low grade fever in chiller rigor , sore throat, odynophagia and dysphagia, on 15.10.2022. The writings in Ext.P57 were done at the direction of PW46 on 20.10.2022 by the resident doctor. The said page was marked as Ext.P57(d). PW46 deposed that routine investigation showed liver failure and hence Sharon was shifted to multi disciplinary ICU for further management. He further deposed after referring to Ext.P59 that on 20th, patient had altered liver function, renal function and lung problem. Thereupon he suggested investigation and special investigation. The treatment was also started. The medicines for organ protection was given , but there was no improvement at all. The bilirubin has shot up. He had difficulty in breathing. Hence tube was fixed for artificial breathing on 25.10.2022 . PW46 opined that the patient developed the above

illness after having kashayam and the multi-organ failure occurred due to poisoning. It is admitted in the cross-examination that the cause of death was pending autopsy . However, he deposed that in the statement given to Police he said that death was due to poisoning. In fact, it was pending autopsy. He treated the patient for 5 days, from 20.10.2022 to 25.10.2022. Ext.P57(d) is as follows:

Ext.P57 (d)	26/10/2024	<p>Informant father</p> <p>Alleged H/o intake of കോകിലാഷ കഷായം with add Ballathaka seeds - F/b Fruity intake on 14/10/2024.</p> <p>Following which patient omitting (greenish) Continuously along with loose stools (blood stained)</p> <p>Patient has taken Parassala Local Hospital referred to MCH/TVM - managed in causality and send home.</p> <p>Patient developed low grade fever with chills and rigor in sorethroat odynophagia dysphagia on 15/10/2022.</p> <p>Lip edema showed Fort hospital MONTEC LC and Turmeric gargle again patient presented to MCH casualty admitted under in MICU 4.</p> <p>Routine work up done. Patient developed sings of liver failure and shifted to MDICU for further management. On receiving in MDICU patient conscious oriented BP 144/93mm hg PR</p>
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		106/mn SPO2 97% with O2 Febrile. L/E glossites+, Mucosal oral ulseris+, Icteric chest - AEBE T - 100 degree F CVS - S1S2(+) GRBS - 114mg /dl Urine o/p - 80 ml. Imp: ACUTE DIARRHOEAL DISEASE/HEPATORANEAL DYSFUNCTION EROSION GLOSSITIS/EROSIVE ENTEROPATHY
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147. It is admitted in the cross-examination that copper sulfate poison was suspected and the same was mentioned in page No. 22 of Ext.P57. The same was carried forward to the other page numbers 10, 14 and 18. Colleagues of PW46 carried forward 'CuSO₄' on 20.10.2022, 21.10.2022, 22.10.2022 and 23.10.2022, as per the instruction of PW46. According to him the Copper Sulfate was suspected because vomit was in greenish colour. In page No. 10 of Ext.P57 psychiatric review was also suggested by PW46 because patient was not co-operating and was anxious. Delusions was also recorded. PW46 fairly conceded that though patient was conscious and oriented he was not opening up. Though he used to talk to patient, reason was not stated to him . He put a query of DILI erosive enteropathy because the liver was not improving and such query was specifically put as it is a case of drug induced or toxins. It is further conceded that poison or toxins were not

detected in blood or fluids . According to him bilirubin may shoot up for several reasons. It is specifically stated by PW46 that CuSO₄ was doubted because it is a case of poisoning. PW46 did not inform the Police because he noticed from the records that Police has already been informed from the medicine department. **PW46, however, stated that it was proved later that it was not copper sulfate poisoning because copper contained in blood was normal. The same is mentioned in page No. 26 of Ext.P59. Secondly, PW46 deposed that it is written in page No. 9 of Ext.P59 and thirdly, in page No. 43 of Ext.P59 that it was not copper sulfate poisoning. It was further mentioned that methemoglobin was normal. In the cross-examination PW46 would say that paraquat poisoning will create this situation. This is a relevant fact.** According to him, he passed over the opinion in the report on 23.10.22. When it was put to PW46 by learned Senior Advocate that at some point of time copper level was very high, he would say that no lab report suggests so. According to him copper will come down very slowly. PW89, SHO, Parassala who recorded statement of PW46 deposed that PW46 has not given statement to the effect that death was due to poisoning. When it was put to PW89 in the cross-examination ,

PW89 has deposed that PW46 has given statement that all the symptoms were started after drinking kashayam. **In the circumstance the copper sulfate was suspected because the level of liver condition was not improving as per Ext.P57 and the testimony of PW46. The fact that as per Ext.P57(d) despite medicines given for organ protection the bilirubin was shooting up and patient had altered liver function, renal function, lung problem which, occurred of multi-organ failure, which according to PW46 was poisoning. The fact that the copper content in blood was normal indicates that it was not copper sulfate poisoning. Therefore, the suspected paraquat poisoning will have to be read along with the preparation made by accused after google search research made on 14.10.2022.**

148. Dr. Anu Balakrishnan, PG. Student at Psychiatric wing at Government Medical College Hospital, Thiruvananthapuram, PW47, had treated Sharon at 12.15 a.m. on 23.10.2022 at MDICU as a part of emergency consultation. Sudden onset delirium with violent behaviour of the patient Sharon was reported and hence PW47 attended him immediately. Patient had irrelevant talk, suspiciousness, violent behaviour and alternatively he was in a

delirium condition. He was about to turn violent again and hence PW47 gave him haloperidon injection 2.5 mg. The same was mentioned in page No. 99 of Ext.P57. The said page was written by PW47 herself, containing her signature, marked as Ext.P57(e).

According to her, delirium condition was because of the infection, metabolic abnormalities and multi organ dysfunction . She added that multi organ dysfunction was due to paraquat affection. Ext.P57(e) is as follows:

Ext.P57(e)	22/10/22	<p>To</p> <p>Psychiatry</p> <p>Kindly see this patient with acute diarrheal disease/? CuSO₄ poisoning with hepatorenal syndrome with sudden onset of delirium with violent behaviour RASF+3, for your valuable opinion and management.</p> <p>Thank you</p> <p>Sd/-</p> <p>Thanks for the referral</p> <p>C/S/B duty JR ↓ PSY. Informant - not available. 23 year old male, with no known comorbidities or psychiatric illness. Presented with c/o multiple episodes of vomiting, loose stools, numbness of UL and LL and later with erosive glossitis. AKI & A/C Hepatic injury, with A/H/O in take of ? Ayurveda medicine</p>
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		<p>(kashayam) - ? Cu Sulphate. Now C/o irrelevant talk, suspiciousness as reported by staff. O/E patient drowsy. Detailed MSE could not be done at present.</p> <p>IMP: ? Delirium-multiple etiology - ? infective ? Metabolic ? Electrolyte imbalance.</p> <p><u>Adv</u></p> <ol style="list-style-type: none"> 1. Maintain fluid electrolyte balance 2. Inj Haloperidol 2.5 mg IM SOS if agitated 3. T.Risperidone 0.5mg 0-0-1 4. S.NH₃ levels 5. General medicine consultation 6. R/W SOS <p style="text-align: right;">Sd/-</p>
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149. The patient was subsequently treated by Senior P.G. Doctor Jincy at 10.45 a.m. on 23.10.22. She also prescribed to continue some medicine. Prescriptions and advices of Dr. Jincy is contained in Ext.P57 and the same was marked as Ext.P57(f). PW47 was not cross-examined. Ext.P57(f) is as follows:

Ext.P57(f)	23/10/22, 10.45 am	To Psychiastrics Respected Sir/Madam, Kindly review this patient
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		<p>already seen by a case of acute diarrhoeal disease/hepatorenal syndrome with violent behaviour.</p> <p>Thank you Sd/-</p> <p>C/S/B JR ↓ Psychiatric</p> <p>Thanks for reference. History noted from previous consultation. Patient symptomatically better than yesterday.</p> <p>O/E: Conscious oriented PMA/talk (N) Anxious. Denies depressive ideas/psychotic features at present.</p> <p>Imp: Delirium resolving</p> <p><u>Adv</u></p> <ol style="list-style-type: none"> 1. Inj Haloperidol 2.5mg IM SOS if agitated. 2. T Risperidone 0.5mg 0-0-1 into 2 days, then stop 3. Maintain fluid & electrolyte balance 4. Frequent reorientation <p>R/W SOS</p> <p style="text-align: right;">Sd/-</p>
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The circumstance that soon before death Sharon moved to psychiatric disorder , irrelevant talk, suspicions, violent behaviour, delirium and all these were due to infection,

metabolic abnormalities , multiple organ dysfunction due to affect of poison.

150. Dr. Aravind.V.N., Senior Resident , Nephrology, Medical College Hospital, Thiruvananthapuram , PW49 had consulted Sharon on 17.10.2022 at Medicine Unit . According to him, the patient was repeatedly admitted with complaint of acute gastritis after having frooti on 14.10.2022. On 17.10.2022 blood test was done and the creatinine level was 8.5 mg. According to him the normal value is 1mg only and on 14.10.2022 creatinine level was 1 mg only. Therefore, PW49 opined that Sharon had acute kidney injury. The bilirubin level was 5.9 and its normal value is 1.2 only. The SGOT was 237 and its normal value is below 40 . SGPP was 527 and its normal value must be below 40. Therefore, PW49 would opine that patient had multi organ dysfunction and kidney and liver failure. He was directed to undergo hemodialysis, after diagnosis on 17.10.2022 , 19.10.2022 and 21.10.2022. However, injury to the liver had no changes. The condition has been further conversant and the patient started wheezing. He was given non invasive ventilation, he was given ventilation supported with the help of medicine. The condition was not improved and hence he was removed to invasive ventilation. He opined that the patient died

due to toxin or infection. Prescriptions and details contained in page No. 73 was written by Dr. Devika, whose handwriting was identified by PW49 and the same was marked as Ext.P57(g). The handwriting of PW49 himself was identified in page No. 86 containing prescriptions and advices which was marked as Ext.P57(h). He also identified his handwriting in page No. 98 and 102 containing prescription and details which were also marked Exts. P57(i) and P57(j). Exts. P57(g),(h),(i),(j) are as follows:

Ext.P57(g)	17/10/2022	<p>To</p> <p style="text-align: center;">Duty Nephro,</p> <p style="text-align: center;">Kindly see this patient, Admitted ? Drug induced mucositis with deranged LFT & RFT. (24/1→110/8.5) Advise regarding further management. (Advise about antibiotic of choice too).</p> <p style="text-align: center;">Thank you Sd/-</p> <p><u>C/S/B SR ↓ Nephro</u></p> <p style="text-align: center;">H/o multiple E/o vomiting, & loose stools on 3 days back.</p> <p>F/b multiple oral ulcer</p> <p>s.cr 1 →8.5</p> <p>output - good</p> <p>No breath L</p>
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		<p>O/E : BP 160 systolic chest - clear S1S2-(+) Hb - 15.2 Ur/Cr-110/8.5 Bil T/D-5.9/4.1 OT/PT-237/527 VM - negative Imp AKI - ? Sepsis ATN MODS To r/o HUS <u>Adv</u> 1. URE/ABG/DCT/Blood C&S 2. HDx2½ hrs (L) FC UF=nil Co-current HCO₃⁻ Low pump speed Hep free 25% D mid & post HD 3. Prepare groin Sd/-</p>
Ext.P57(h)		<p><u>HD ROOM</u> Date : 17/10/22 HD No:1 Wt-Pre HD:NT Post HD:NT BP Pre HD:141/77mmHg Post HD:131/74mmHg Time Starting : 7.15 am closing: 9.45 pm Access: LtFC Heparin:free</p>

		<p>BFR 150ml/mt DFR 500</p> <p>Duration: 2½ hrs UF NIL</p> <p>Complication Nil</p> <p>Cocurrent Low pump speed</p> <p>Inj 25% D post HD</p> <p><u>18/10</u></p> <p>Hold HD</p> <p>USG KUB/URE/Blood C&S/Amylase</p> <p>? Urinary retention</p> <p>Imp: AKI-PreRenal</p> <p>?ATN-?sepsis</p> <p>Accute gastroenteritis</p> <p>1. T.Sopabcarb 500mg 1-1-1</p> <p>2. Monitor RFT/SE</p> <p><u>19/10</u></p> <p>Urine o/p 1.1 L cr-10</p> <p>HDx3hrs Cocurrent</p> <p>HCO₃⁻ Slow pump speed</p> <p>Heparin Rigid 25% Dextrosc mid & post HD</p> <p>UF-500ml (L) FC</p> <p style="text-align: right;">Sd/-</p>
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Ext.P57(i)		<p><u>21/10</u></p> <p>Tachypnoea (+)</p> <p>No edema Cr ↓</p> <p>Posted for HD</p> <p>HD into 3 hrs (L) FC</p> <p>HCO₃⁻ Sd/-</p> <p>Heparin free</p>
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		<p>UF 500 ml <u>22/10</u> O/P - 2.9 L D/d with Dr. Sajeev Cr-4.4 K⁺-3.2 TB/DB-12.4/7.8 INR-1.1 - Hold HD - Hydrate well I=O+500ml - T Wysolone 40mg 1-0-0 may be given Sd/-</p> <p><u>23/10</u> Pt Dyspneic Chest - B/L coarse creps ur/cr-77/3.5 output-good ?ARDS <u>Adv</u> - Hold HD - Adequate hydration - RFT/SE Monitor Sd/-</p>
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Ext.P57(j)		<p><u>HD ROOM-SSB</u> Date : 19/10/22 HD No:2 Wt-Pre HD:NT Post HD:NT BP Pre HD:160/70 Post HD:130/70 Time Starting : 6.30 pm closing: 9.30 pm Access: LFC Heparin:(R)</p>
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		BFR 150ml/mt DFR 500ml/mt Duration: 3 hrs UF 500ml Complication Slow pump speed Cocurrent 25% Dex mid & post HD <u>20/10</u> Old HD CR10.7→9.0 R/W tomorrow in Nephro I ward for faculty discussion at 10 a.m. <div style="text-align: right;">Sd/-</div>
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151. In the cross-examination he stated that Police has not shown the paraquat bottle to him. He never used paraquat. He has not conducted any toxicology studies about paraquat. He does not know smell of paraquat herbicide. It is an organic herbicide and will be sold in granules. Paraquat will be sold adding additives. Upon ingestion, paraquat is rapidly but incompletely absorbed , he added. The same was stated by him to the Police, memorizing from a text book. He explained that incompletely absorbed means 10% out of 100 paraquat content will be absorbed and remaining will be excreted. If paraquat is taken by human being, lung kidney and

liver will be badly affected. The blood plasma will be shoot up within one hour. There is specific lab test to identify the same. **The level of paraquat will be decreased because it was being urinated. He would admit that had it been examined within 24 hours, the paraquat content would have been detected.**

However, he specifically opined that the same should be disclosed by patient, otherwise not able to identify. Dialysis is necessary to have full clearance and to excrete the toxic content out. Here also PW49 opined that for all these, it must be known that the patient had consumed paraquat content, otherwise it will be very difficult to find out. It will be impossible in such a time to detect the content after the consumption. It must be done withing 24 hours. Then only the paraquat content can be detected. PW49 deposed after verifying records and from his direct involvement that paraquat administration was not doubted, but the copper sulfated was the only doubt. In the cross-examination PW49 clarified the position that the name of the poison should be specifically stated by the patient or by the bystander. Otherwise the finding will be based on the medical condition of the patient. Therefore, the team of doctors who had attended Sharon is justified in suspecting poison and not specifically suspecting paraquat content. The copper sulfated ,

according to PW 49, was repeatedly stated in the history at Medical College Hospital, Thiruvananthapuram because it is being carried forward whenever the file goes to various departments. In both circumstance, despite the creatine level of Sharon was 1 mg on 14.10.2022 the same reached upto 8.5 mg on 17.10.2022 because of acute kidney injury. The bilirubin level has shoot up to 5.9 , SGOT to 237. SGPP to 527 because patient had multiple organ dysfunction especially kidney and liver the cause of which is the administration of poison. **PW49 further opined that if paraquat herbicide entered inside the human body , it would be absorbed by the body within an hour especially the kidney, liver and lungs will absorb the content. He specifically stated that kidney got damaged due to acute tubular necrosis. He deposed that 90% of the paraquat content will be passed out through urine within 24 hours . This is a relevant fact. The condition of Sharon became critical due to the dysfunction of kidney , liver and lungs , but he was moved to investigate which shows multiple organ dysfunction due to toxin or infection. On a conjoint reading of oral testimonies of prosecution witnesses, PWs 1 to 3, the preparation made by first accused, the opinion of**

PW49, that it may be paraquat herbicide which might have affected the multi organs of the patient, is relevant fact. 90% of the paraquat content , if ingested will be excreted by urine within 24 hours and despite diagnosis, investigation paraquat content could not be detected because it would have been disclosed by the patient or bystander, are relevant facts. It is proved by the evidence of PW49, Ext.P57(g), P57(h), P57(i), P57(j) that Sharon had multi organ dysfunction due to toxin or infection.

152. PW27 , Dr. Varun at Parassala Taluk Hospital opined about ingestion of poison inside the body of Sharon on 14.10.2022 itself. He referred the patient to the Medical College Hospital for urgent treatment and arranged an ambulance . Ext.P51 O.P. Register, Ext.P534 daily report register, and Ext.P54 and P55 mahazars could prove this fact. PW45, Dr.Sherin Sha, ENT Specialist had opined, there may be some poisoning inside the body of Sharon Raj on the next day. Ext.P57(c) will corroborate his version. Dr. Anil Sathyadas, PW46, in Ext.P57(d) and Ext.P59 opined that Sharon became ill after taking decoction on 14.10.2022 . He further opined the possibility of poisoning . The evidence of PW46 would prove the fact that Sharon died due to poisoning and ever since the admission

of patient to a hospital after complaining of vomiting and loose stools, poisoning was suspected. Of course, it was not copper sulfate, but PW46 opined that it can be paraquat poisoning. PW46 opined based on the medical reports. It is well settled law that the prosecution need to prove that death was due to poisoning. The same is proved by the evidence of PW46. PW47, Dr. Anu Balakrishnan (Psychiatry) opined that multiple organ disfunction due to direct effect of poison on the body of Sharon vide Ext.P57(e) he turned to a position of delirium as observed in Ext.P57(f). PW49, Dr. Aravind.V.N.(Nephrology) conducted dialysis of Sharon on 17.10.2022 , 18.10.2022 and 21.10.2022. Exts. P57(g) to P57(j) would clearly show that Sharon had ingested poison and PW49 opined that paraquat will be absorbed in 1 hour, 90% of the paraquat excreted through urine within 24 hours and paraquat could be detected in urine content only if it got examined within 24 hours and poison was suspected by different departments of the Medical College Hospital and CuSO₄ was carried out in every document.

153. Dr.Aruna, PW56, specifically ruled out the ingestion of CuSO₄ and opined about the possibility to have consumed paraquat. Ext.P57(k) to P57(x), Ext.P59(j), P59(k) and P59(l) would

show that it was not copper sulfate which was ingested by patient. The evidence of PW6 proves that patient was healthy as on 15.10.2022 as per the medical records including lab reports of blood examination. Moreover, as per Ext.P56(j) and Ext.P56(k) and Ext.P59(l) the copper sulfate level, was normal and it was some other poison and it was proved later that the poison was paraquat. PW56 opined after verifying M.O.26 that it is highly possible to have consumed the 100% poison of paraquat by Sharon Raj and thereby his lung, liver and kidney were badly affected. PW58, Dr. Aravind.R. (Infectious Disease Department) opined possibility of chemical paraquat enter inside the body of Sharon Raj, paraquat is sufficient to cause death and paraquat is the only possibility. After having ruled out the presence of CuSO₄, PW58, who had experience of treating multiple patients who consumed paraquat, categorically found that paraquat is the only possibility for the medical condition of Sharon because ulceration of mouth and condition of lung were due to consumption of paraquat, but not due to CuSO₄. PW66, Dr. V.V.Pillai, an expert of paraquat, after verification of M.O.26 opined that fatal dose of paraquat is one mouthful which is 20 ml. 30 mg/kg is sufficient to cause death and after perusing Exts.P57, P93 and P97 opined that medical condition of Sharon is consistent

with paraquat consumption. The evidence of PW66 would further corroborate the evidence of PW49 that 90% paraquat will be excreted in few hours and 10% will be excreted in subsequent days.

154. Greeshma had knowledge as enshrined in Section 300 IPC which is proved by Ext.P4(a6) that she also entertained doubt in the juice. Therefore, apart from the mixing of kapiq herbicide in the kashayam, Greeshma herself would go to an extent further that she had doubt in the juice also which he drank after kashayam for the distaste to go. The voice of Greeshma and Sharon was identified by PW1, PW3, PW94 and the mahazar witnesses. She researched about consequences which will happen in human body if paraquat is ingested. Therefore, it is proved that Greeshma had knowledge that what she administered was poison. The evidence of PW2, PW3, PW6, PW7, PW10, PW27, PW45, PW46, PW47, PW49, PW51, PW56, PW58 , PW59, PW63, PW66, PW68, PW76, PW77, PW92, PW94 and Exts. P4 series, P7,P8, P9, P36, P36(a), P48, P51, P55m P57(c), P57(d), P57(e),P57(e), P57(f), P57(g), P57(h), P57(i), P57(j), P57(k), P57(l), P57(y), P59, P68, P80, P93, P97, P98, P105, P118, P119, P229(a series), M.O.6, M.O.16, M.O.26 are sufficient enough to prove that Greeshma administered kapiq herbicide to Sharon with intent to cause hurt to him and with intent to commit commission of

offence of murder and that Sharon died of poison. It is also proved that first accused committed act of poisoning knowing fully well after research that poison kapiq herbicide is so imminently dangerous that it must, in all probability cause death or such bodily injury as it is likely to cause death, and committed such act without any excuse for incurring the risk of causing death or such injury as discussed above.

CHEMICAL EXAMINATION REPORTS

155. PW51, Assistant Chemical Examiner, Chemical Examiner's Lab, Thiruvananthapuram received 28 sealed packets and two sealed envelopes on 26.11.2022 for examination. PW51 examined 30 items and one seal and after examination submitted a report, Ext.P80 . She deposed that it is concluded that paraquat, a toxic herbicide was detected in item No. 1 . The item No. 1 is kapiq bottle. . Paraquat was not detected in sample under item Nos. 2 to 4, 6, 7, 10, 11 to 25, 28 and 29. The samples under item Nos. 4 and 25 were found to contain identical components. The M.O.6 kapiq bottle was shown to PW51 and she identified the same. Therefore, it is proved that M.O.6 is a kapiq bottle. Item No. 4 and 25 are also shown to witness, which are identified as M.O.14 and M.O.30,

kashayappodi. One sealed bottle and 2 EDTA tubes containing urine and blood samples were received at Lab on 1.11.2022. PW51 examined the samples and concluded that no poison was detected in the blood and urine samples. A report was filed to that effect bearing her signature and office seal and marked as Ext.P81. She received 4 sealed bottles of samples on 27.10.2022. PW51 analysed and concluded that poison was detected in the samples. A certificate was issued to that effect. She identified her signature and office seal and marked as Ext.P82. PW51 has given statement to Police . She was cross-examined by accused. **The paraquat content, a toxic herbicide was detected in the M.O.6 kapiq bottle after chemical examination by PW51 and as shown in Ext.P80 is a relevant fact.**

LAB REPORTS

156. Dr. Divya.S.Mohan, Senior Scientific Assistant, Biochemistry, Medical College Hospital, Thiruvananthapuram, PW52, had supervised the lab examination out of blood samples of Sharon. PW52 deposed that she supervised the examination done by Lab Technician , Sivakumar, who validated the report. Ext.P73 does not bear signature because it is a computer generated copy. Ext. P59 was also verified by PW52 and deposed that on various

dates from 14.10.2022 she had issued results after validation by Lab Technician. She identified page No. 1 of Ext.P59 dated 17.10.2022 . It is marked as Ext.P59(a). Page No. 7 of the Lab Report dated 18.10.22, Ext.P59(b), page No. 22, Lab Report validated on 19.10.2022, Ext.P59(c) , page No. 31 of Ext.P59 dated 20.10.2022 validated by Lab Technician , Ext.P59(b), page No. 33 , Lab Report validated on 20.10.2022 , Ext.P59(e), page No. 46 of Ext.P59 report validated on 22.10.2022, Ext.P59(f), page No. 50 of Ext.P59 dated 22.10.22 , Ext.P59(g), page No. 60, report validated on 24.10.22, Ext.P59 (h) and page No. 64 dated 25.10.2022 , Ext.P59(i) were marked through PW52. She deposed that Ext.P59(a) to Ext.P59(i) were the blood result of patient, Sharon Raj validated by Lab Technician and supervised by her. PW52 was not cross-examined . **The fact that Ext.P59(a) to Ext.P59(i) blood examination result duly validated by Lab Technician , Sivakumar was under the supervision of PW 52 and Ext.P73 Lab results was also under the supervision of PW52 stood proved by the evidence of PW52.**

157. **Dr. Aruna.R., Professor and Head of the Department, Department of Medicine, Medical College Hospital** , Thiruvananthapuram, PW56 deposed that she treated

Sharon Raj on 19.10.2022 . She deposed that the patient was shifted from ENT department to Medicine and after referring to Ext. P57 further stated that at the time when he was brought, Sharon had complained that he had loose stools and vomiting 4 days ago after having fruity. She deposed that the patient was transferred after having found that his kidney got damaged. At her department piptaz, antibiotic injunction was given to him. She had interacted with the bystanders on 19.10.2020. She specifically deposed that the mouth of Sharon was fully ulcerated. She had suspected corrosive poison administration. She deposed that PW1 had informed her that girl friend of Sharon had given him kokilasham kashayam and he started vomiting thereafter and the vomit was blue in colour. Thereupon, PW56 stated that blue colour is not normal vomit. Hence poisoning by copper sulfate was suspected. Intimation was then given to Police on the night on 19.10.2022. Thereafter, the patient was shifted to various departments including critical care ICU. The liver and kidney functions started deteriorated, PW56 deposed. According to her , the condition has worsened on 21.10.2022 , 22.10.2022 and 23.10.2022. His condition was critical on 24.10.2022 as pulse and breath was almost lost. The patient had consolidation in the chest. He was shifted to

high flow oxygen, non invasive ventilation. Thereafter he was shifted to invasive ventilation. The pulmonary stage got worsened by 24.10.22. On 25.10.2022 Sharon suffered cardiac arrest. PW56 investigated about the copper sulfate by way of serum copper level and methemoglobin, ceruloplasma tests and it was found that copper level was normal and it was concluded that the poison was not copper sulfate. According to PW56 the death was due to Multiple organ dysfunction. She deposed that the patient had no any other ailment, but his kidney, liver suffered failure after poisoning. She specifically opined that Sharon suffered multi organ failure because of the administration of corrosive poison. M.O.26 label was shown to witness and she stated that M.O.26 contains paraquat dichloride 24 %. It is non selective contact herbicide and it is 100 % highly poisonous, if administered in the human body. She further opined that in the ordinary course of nature, 15 ml of paraquat is sufficient to cause death of a human being and ingestion of paraquat will cause death of a person. When a suggestive question was put to PW54, whether the medical condition of Sharon can be caused by the consumption of paraquat, PW 54 replied that it is very highly possible, PW56 identified the prescriptions and details recorded in Ext.P57, which are contained

page numbers 54 to 57 and the same are marked as Exts. P 57(k), 57(l), 57(m) and 57(n) respectively. Further, page No. 63 to 71 of Ext.P57 contain the prescriptions and details of investigation in her department in relation to patient Sharon. The page Nos.63 to 71 are marked as Exts. P57(O) to P57(W) .

158. In the cross-examination PW56 further stated that copper sulfate was suspected firstly on 19.10.2022. On that day she consulted the patient for the first time. The patient had told the history as itching or low urticaria . The patient was conscious on 19.10.2022. However, he did not state that anyone had given him poison. PW56 asked the patient whether any poison including copper sulfate or any corrosive poison was consumed by him, but he replied in negative. That is why no history of drinking corrosive poison was mentioned in the case sheet. However it is not specifically written in the case sheet whether PW56 asked Sharon about consumption of any poison. Admittedly, the history as stated by the patient is not mentioned in anywhere in the case sheet. In page No. 57 the entire oral cavity was in a fully ulcerated position as recorded. After having referred to Ext.P57(x) , page No. 10 of Ext.P57 copper sulfate was suspected because according to PW56 such medical condition could be caused by ingestion of copper

sulfate. If increased copper or decreased cerulo plasmin start injection D- penicillamine 500 mg IV Q6H , according to PW56, is an antidote for copper sulfate. To rule out Methemoglobin, if any, Methylene Blue was suggested. According to PW56, diarrhea, abdomen pain and vomiting could be caused by copper sulfate poisoning . She specifically opined that due to copper sulfate lung, liver, kidney injury will not be caused. However, acute gastritis will be caused by taking any poison. According to PW56, lung, liver, kidney injuries will be caused by consumption of paraquat and the end result is lung, liver, kidney failure, if paraquat is taken. By taking a poison , loose stools could be caused and copper will be excreted through stools. The same would also go out by vomiting . In the cross-examination PW56 admitted that had the first stool , urine and blood been made available, it would have been easy to identify the poison which was ingested. She further opined that if there is a lung involvement along with the clinical findings of copper sulfate, the poison like paraquat is to be doubted. The immediate effect after taking paraquat, to her opinion, is vomiting . She would admit that later only it was revealed that the poison ingested was paraquat. When it was put to PW56 by learned Senior Advocate she would opine that though additives are added, if it is taken by human

being, the death possibility is 100%. To a question in the cross-examination that if a patient has taken any poison, the above medical conditions could be possible to which PW 56 replied that early lung involvement will not be there. She then deposed that Dr.V.V. Pillai, Forensic Expert had expressed this view in his book . PW56 denied the suggestion put to her that she expressed unscientific opinion without studying the histopathological report to which she replied that she had referred to forensic report.

159. In the re-examination she specifically clarified the ambiguity that as per Ext.P57, lab reports are available to rule out the presence of copper sulfate in the body of Sharon. Moreover, the copper was normal as per the report and medical findings contained in page No. 26 of Ext.P59 as on 23.10.2022. The page No. 26 was marked as Ext.P59(j). Before that the presence of copper in the body of Sharon was examined and it was found that copper was normal and the same is mentioned in page No. 36 of Ext.P59. The same is marked as Ext.P59(k). On 19.10.2022 also as per blood smear result recorded in page No. 19, copper was normal. The said page was marked as Ext.P59(l). PW56 deposed that these are all the supportive evidence to show that the copper was normal in the body of Sharon. Normally methemoglobin level test will be

conducted to identify copper level in the body and in that test also , PW56 deposed, the copper was normal. In the further cross-examination PW56 stated that 10-20 mg copper sulfate will be fatal to human body. It is admitted that the samples were collected on 14.10.2022 itself as per Ext.P73 and P73(a). But the same was of no use. The experts have opined that it was not easy to find out the presence of paraquat from the blood sample if it is taken after 24 hours, unless the name of the poison was specifically disclosed either by the patient or bystander. The fact that Sharon had fully ulcerated oral cavity on 19.10.2022 due to poison and hence matter was informed to Police on 19.10.2022 . The evidence of PW56 proves that the liver and kidney functions got deteriorated day by day he was in the critical unit, struggled his life at both high flow oxygen noninvasive ventilation and invasive ventilation, but condition had become worsened on 24.10.2022 and breathed his last on 25.10.2022 due to multi-organ failures. **The circumstance that patient had no other illness before taking the poison on 14.10.2022 and multi-organ failure occurred due to the ingestion of corrosive poison. The fact that in the ordinary course 15 ml. of paraquat dichloride is sufficient to cause death of a human being, if ingested, and consumption of**

paraquat made the medical condition of Sharon due to the paraquat ingestion, could be proved by the evidence of PW56, Exts. P57(k) to P57(w). The argument that it was copper sulfate and not paraquat will not sustain in view of the testimony of PW6, after referring to Ext.P59(j) to Ext.P59(l) that the copper level as per the lab reports in the body of Sharon from 19.10.2022 to 23.10.2022 was normal.

160. Dr.Aravind.R. head of the Infectious Disease Department, Medical College Hospital, Thiruvananthapuram , PW58 had attended Sharon Raj at ICU on 19.10.2022 . PW58 was consulted to see whether infection was there due to renal failure. PW58 had discussed various treatments given to Sharon with other doctors. He talked to Sharon. He also noticed coating due to slough out and ulcerations in lips and lungs at around 12-1 p.m. on 19.10.2022. He further noticed the presence of fungus candidiasis, the symptoms of gastritis, esophagitis . PW58 has given evidence that kidney and liver were dis-functioning. He prescribed medicines and advices which are in page No. 93 of Ext.P57 and marked as Ext.P57(y). Ext.P57(y) is reproduced for convenient reading:

Ext.P57(y)		<p>Thanks for referred ID consult noted Clinical features suggestive of chemical induced mucositis+esophagitis+ gastritis+hepatorenal dysfunction+oral candidiasis AKI on intermittent HD <u>May I suggest</u></p> <ol style="list-style-type: none"> 1.CPK 2. CANDID MOUTH PAINT FOR LA BD 3.Inj Fluconazole 200mg IV stat dose only 4. Inj Meropenem 500 Q8h 5.Inj Linezolid 600 Q12h 6.Inj Metronidazole may be stocked 7. HSV 1 & 2 IgM and IgG 8. BLOOD C/S (Automated ID-AST) <p>Shall r/w</p> <p style="text-align: right;">Sd/- Dr.Aravind.R</p>
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He gave statement to investigating officer after referring to case sheet and pathology report. Initially it was a chemical induced mucositis, esophagitis, and gastritis. Subsequently, he suffered breathlessness. He deposed that the paraquat ingestion is possible and the reason for the medical condition of it, he stated to Police after studying the case records. **According to him the minimum**

quantity of 10-20 ml. paraquat is sufficient in the ordinary course to cause death. It is admitted in the cross-examination that PW58 did not give statement to Police in writing that death was due to administration of paraquat. He is not a toxicologist. Nobody has stated to him about the administration of paraquat . After having verified Ext. P73 series PW58 deposed that paraquat was not detected in the blood investigation. He did not write in Ext.P57 that hepatorenal dysfunction may be due to poison, but recorded as chemical induced. PW58 opined that any chemical that may affect to renal function will be poisonous and paraquat will also cause hepatorenal dysfunction. Though he has stated that he has given statement to Police after referring to Lab report and pathology report, according to accused, no such statement was given to Police. In fact it is pointed out by learned Special Public Prosecutor that PW58 had verified available case records. He has given statement to Police that he has verified the available case records. Then it was put to PW58 by learned Senior Advocate whether paraquat is the only possibility for this medical condition or one of the possibilities, PW58 replied that paraquat is the only possibility. However, he is not an expert in the paraquat studies. Therefore, the evidence of PW58 will corroborate the evidence of Dr.Aruna,

PW56, that paraquat is the only possibility for the multi-organ failures and dysfunction and the medical condition of Sharon.

161. PW58 deposed that paraquat herbicide was banned in Kerala from 2011 onwards. He had examined multiple patients after having consumed paraquat trichloride herbicides. He was familiar with paraquat during the course of his studies. There were a lot of discussions when the paraquat was banned. In this circumstance I find substance in the submission by Special Prosecutor that PW6 bought kapiq bottle from PW7. PW6 running shop in Kerala whereas the shop of PW6 is in Tamilnadu. **PW58 will corroborate the version of PW56 that the paraquat is the only possibility for the medical condition of Sharon because otherwise, it will not be lung involved. He explained that the colour difference will be appeared while vomiting , had the patient has taken copper sulfated, paraquat, boric acid. The evidence of PW58, therefore, would corroborate the evidence of almost all doctors to the effect that the colour difference was due to paraquat and they suspected copper sulfated because of the colour difference.** In Ext.P57(d) it has been recorded that the vomit was greenish (page 26) and according to PW58 the greenish vomit was

noted on 14.10.2022 case sheet itself. **The doctors are justified in suspecting copper sulfate because the testimony of PW58 will vouchsafe the finding of other doctors that the colour difference in vomit will occur in case of ingestion of copper sulfate.** It was put to PW58 whether the doctors suspected CuSO₄ in the case records after having found the greenish vomit on 14.10.2022. The question was opposed by learned Special Public Prosecutor stating that the question is pertaining to opinion of other doctors. The question was allowed, subject to the above objection. Anyway, PW58 answered in negative. Then it is submitted by learned Senior Advocate that the view of PW58 is conflicting because other Doctors have doubted CuSO₄ by seeing greenish vomit. PW58 clarified the position that it has been proved 100% after investigation that the poison was not CuSO₄. In fact the evidence is available in plenty from the very beginning that the copper level was normal and therefore, the submission by learned Senior Advocate has no substance. Then it was pointed out by learned Senior Advocate that it may be bile and may not be paraquat because the vomit was greenish and the colour of bile is also greenish vomit. PW58 has specifically given evidence that if it is bile, ulceration in the oral cavity will not occur. He further

deposed that as per the case records the administration of CuSO₄ was ruled out and they arrived at a finding that it was paraquat. Several questions were put to PW58 with respect to CuSO₄, but in fact the presence of CuSO₄, as I have observed above, were already ruled out. Admittedly his version to Police was, "likely to be paraquat". He denied the suggestion that he improved his version stating, "paraquat is the only possibility". PW89, the investigating officer has deposed that PW58 has not given statement to the effect that death was due to administration of paraquat. **On a careful examination of his testimony it can be seen that the presence of CuSO₄ was ruled out and hence the colour difference in the vomit coupled with ulceration in the oral cavity lead them to find conclusively that the only possibility for the medical condition of Sharon is the administration of paraquat. PW58 is the Head of Department for Infectious Disease at Government Medical College Hospital, Thirvanathapuram and his opinion is matching with the medical records and the oral testimony of other witnesses, recovery of kapip bottle containing paraquat, administration of kashayam, the immediate medical condition of Sharon, after the poison so**

administered. The evidence of PW58, Ext.P57(y), proves specifically that the presence of ulceration in the lips and lungs, gastritis, esophagitis, dysfunction of kidney and liver and breathlessness. On an analysis of evidence of PW1 to PW3, PW92, PW94, and the above Doctors, Ext.P57 series, recovery of M.O.6 and M.O.26 etc. it is proved that paraquat dichloride herbicide was the poison which ultimately resulted in multi-organ dysfunction of Sharon.

162. Assistant Professor, Pathology, Government Medical College, Thiruvananthapuram, PW59, received the viscera of deceased Sharon Raj on 26.10.2022, from Dr. Dhanya Raveendran, Police Surgeon who conducted postmortem examination on the body of Sharon Raj. PW 59 examined brain , lung, tongue , thymus, heart, liver, spleen, pancreas, small intestine, kidney, adrenal, etc. and submitted report to FSL. He identified his signature in the report and the same was marked as Ext.P93. He deposed that he saw acute injury in the lung, tongue ulceration, liver, hepatocellular cholestasis and local fatty change, acute tubular necrosis in kidney etc. PW59 opined that the death was due to severe and acute lung injury and these features

show paraquat poisoning. In other words, paraquat poisoning is the reason for the above medical condition, according to PW59. He further opined that 15-20 ml. paraquat is sufficient in the ordinary course of nature to cause death of a human being. He admitted in the cross-examination that the reason of paraquat poisoning was a suggestion from him and he did not state that paraquat poison is the only possibility. Further, he stated in the cross-examination that he did not mention in Ext.P93 about paraquat poisoning. He clarified the position stating that the lung injury is very rare if any other poison like paraquat is ingested. learned Senior Advocate submitted that such a medical condition can be caused if any corrosive poison is taken as per the pathology findings. According to PW59 different reactions may be caused with such pathology findings, but lung injury is very rare, if any other poison is taken. Learned Senior Advocate put to PW59, histopathological findings in poisoning cases included significant pulmonary edema, intra-alea hemorrhage, liver ulomy degeneration, acute tubular necrosis in kidney, universal brain and spleen congestion are common in

poisoning cases. The same is denied by PW59. Then it is submitted by learned Senior Advocate that the medical conditions as described in Ext.P93 can be caused by aluminium phosphate poisoning. PW59 has explained that if it is aluminium phosphate poisoning, tongue changes will not occur. So also, PW59 denied the suggestion put to him that the medical conditions stated in Ext.P93 may occur by the intake of any organic poison. PW59 would admit that by way of pathology examination it cannot be detected which poison was administered. Pathology is a microscopic examination of tissues. At the best, the pattern of injury can be identified. As there was no history of poisoning at the time of Ext.P93, PW59 deposed that the same was not mentioned in Ext.P93. Therefore, the relevant fact that death was due to severe and acute lung injury and paraquat poisoning was the reason of medical conditions of Sharon Raj as shown in Ext.P93 could be corroborated by the evidence of PW59. The fact that in the viscera examination lung acute injury , tongue ulceration , acute tubular necrosis in kidney etc were found as shown in Ext.P93 and in case of lung injury , the administration of other poison

except paraquat is very rare and in case of tongue ulceration other poisoning such as Aluminium phosphate, may not be the reason, could be proved by the evidence of PW59. The opinion that paraquat poison is the reason for acute lung injury and 15-20 ml paraquat is sufficient in the ordinary course of nature to cause death of a human being could also be proved by the evidence of PW59. The evidence of PW59, therefore, would further corroborate the other medical evidence.

163. Dr.V.V. Pillai, Professor and Head of Forensic Medicine and Toxicology at Amritha Institute of Medical Science,Kochi was examined as PW66. He has been working as an expert for the last 22 years. He has been the chief of Poison Control Centre and Head of Analytical Toxicology. He has been peer committee on International Program on Chemical Safety of World Health Organization. He has written many books and primary one is “Comprehensive Medical Toxicology” and “Modern Medical Toxicology” .For medical students, he wrote, “ Text Book on Forensic Medicine and Toxicology”. This book is now at 20th edition. He has given statement to Police and given his opinion on 7.1.2023. Ext.P93 and Ext.P97 were shown to the witness while recording

statement by Sub Inspector of Police, Parassala. M.O.26 was also shown to witness, which he identified as paraquat. **The fatal dose of paraquat is one mouthful of paraquat content and this is a very dangerous herbicide, PW66 stated.** In terms of body weight, 30 mg per kg and above is sufficient in the ordinary course to cause death, he opined. If paraquat is ingested, 90% paraquat contents will be excreted within a few hours and remaining 10% will be excreted in subsequent days. By consumption, paraquat targets mainly gastro intestinal tract followed by kidneys, liver and lungs, he added. He has gone through the copies of case sheet of the time when statement was given to Police. **On perusal of Exts.P57, P93, P97, the cause of death of deceased, to his opinion, cause of death is consistent with paraquat consumption.** According to him, chemical analysis report can be complementary, but not essentially to frame the cause of death.

164. In the cross-examination he has admitted that he did not tell the Police that Chemical Analysis Report is complimentary but not essentially to frame cause of death because such a question was not asked to him. Further, in the book written by him, 'Modern Medical Toxicology' it is not mentioned that Chemical Analysis Report is only complimentary. According to him the said book is

meant for Doctors, and not for forensic experts. Chemical Examination Report is not useless, but it is complimentary, is his opinion. Ext. P57 contains Chemical Analytical Report . When it was put to PW66, he stated that it is not seen from Ext.P57 that any sample was sent for Chemical Analysis. He would say that blood and urine are preserved and the same is mentioned in page 59 of Ext.P57 as on 24.10.2022. It is not mentioned that samples were sent for analysis. Ext.P81 is shown to witness. The postmortem samples as per Ext.P82 was taken on 26.10.22. The same were seen received on 27.10.2022. According to his book “ Modern Medical Toxicology” page No. 398, he has discussed toxicokinetics. It is seen downloaded from internet. Download is illegal, he complained. He has written in the book that that paraquat can be distributed in kidney , lung and muscle tissues and these three things represent reservoir. On examination of these tissues, the presence of paraquat will be seen after weeks or months, as stated in his book. Chemical examination of kidney, liver, lungs and muscle tissues may or may not yield positive results, he deposed. He specifically deposed as to how many hours it will take the paraquat to take into tissues and in case of paraquat ingestion it is not possible to say that that there will be deposit. Despite being an

expert he would say that he is not aware of it. More the survival time, the probability of deposit in tissue will be lesser. That happens in case of plasma level, but plasma level would not follow the toxin tissue the same pattern as in the tissues. PW66 claims to have written the same in the book after investigation and studies and what he has written in page 398, 'toxic kinetics' is authoritative. In page 399 of his book he speaks of Usual Fatal Dose. The quantity of paraquat consumption not necessarily depend on survival and the quantity of paraquat is directly proportional to fatality. He further stated that the more the quantity, the death is likely to be sooner. The survival period, according to PW66 in this case is 11 days. This is almost correct because Sharon survived for 9 days. Until his death he remained conscious, as per Ext.P57. Ext.P73 is shown to witness. Sample seems to have taken at 19:07 on 14.10.2022. **Only blood was collected then. This is the routine lab test result. Everything cannot be revealed in that examination, he stated. Paraquat presence is not seen as it was not attempted to be detected, deposed by PW66, is a relevant fact. The same is the version of other doctors who attended Sharon. Unless it is specifically looked into, it is**

not possible to find out, PW66 stated. When it was put to PW66, he replied, had Ext.P73 blood sample was preserved and examined later by the Chemist, paraquat could have been possibly found out. There is no specific investigation seen as per Ext.P57 that paraquat was ingested and if the first urine within 24 hours had been preserved, the presence of paraquat could be possibly found out. In his book, page 399, he would say, swallowing more than a mouthful of paraquat can cause death in 72 hours. He also says in the same page that the plasma paraquat level will tell us the concentration and quantity. In all these records such as Exts.P57, 93 and P97 etc. plasma paraquat level could not be seen . PW66 specifically stated the quantity consumed by the patient in this case was a fatal dose. Learned Senior Advocate again invited attention of PW66 to his book Page No. 399 and asked whether ,” In diagnosis serial No. 2, he speaks of Plasma paraquat”. He still maintains that opinion in this page of his book. learned Senior Advocate submitted that If the opinion of PW66 is correct, what was consumed by Sharon was not fatal dose. The same is denied by PW66. **It was further pointed out by PW66 in the re-examination, if the victim underwent dialysis for**

three days alternatively, after survival of 11 days, the chance of finding of paraquat in kidney, liver, lungs, is very remote. The same is the view of other Doctors too. After having consumed paraquat on 14.10.2022, Sharon survived 9 days . The opinion of expert, PW66, Dr.V.V. Pillai, Professor and HOD, Forensic Medicine, Amrutha Hospital, Kochi would squarely match with the factual situation of the instant case. The opinion of PW66 that after consumption of paraquat survival possibility of the patient is 11 days appears to be correct. The opinion of PW66 that by consumption paraquat targets mainly gastro intestinal tract followed by kidneys, liver and lungs is true because the opinion is in tune with the medical condition of Sharon, as stated by other doctors. The evidence of PW66 that a mouthful of paraquat content is a fatal dose and it is a dangerous herbicide is reliable because the factual circumstance of this case would match with this opinion. The evidence of PW66, being an authority in the toxicology, the cause of death of Sharon is consistent with paraquat consumption is a circumstance. The opinion of PW66 is relevant fact that if paraquat is ingested that 90% paraquat

**content will be excreted within a few hours and the remaining 10% will be excreted in subsequent days. The opinion of PW66 can be relied safely to find that the paraquat was not detected because everything cannot be revealed in the routine blood examination and paraquat presence was not seen as it was attempted to be detected. Moreover, if the victim underwent dialysis for 3 days alternatively, after survival of 11 days, the chance of finding paraquat in kidney, liver, lungs is remote and hence the chemical analysis report can be complementary only, a relevant fact. Therefore, it is proved by the evidence of PW66 that paraquat consumption was the reason for the medical condition of Sharon. **

POST-MORTEM CERTIFICATE

165. Dr. Dhanya Raveendran, PW63, was working as Assistant Professor, Assistant Police Surgeon , Department of Forensic Medicine, Government Medical College Hospital, Thiruvananthapuram as on 26.10.2022. She conducted postmortem examination on the body of Sharon Raj, aged about 23 years , involved in this crime. She has noted the following

postmortem injuries: Lacerated wound 2x0.3x0.4cm, oblique, on right side of forehead its lower inner end placed 2.5cm outer to midline, at the level of eyebrow with pale edges and no infiltration of blood around. Skull was intact. Scalp and dura appeared yellowish. Brain (1376 gm) edematous. Tongue showed a few erythematous papillae. Intercostal muscles showed hemorrhages. Air passages showed yellowish discoloration and contained brownish mucoid material. Stomach contained 20ml of yellowish watery to mucoid fluid having no unusual smell; mucosa yellowish with submucosal hemorrhages. Upper small intestine contained similar material as in stomach. Esophagus appeared normal except for yellowish discoloration. Lungs (right 1068gm, left 873 gm) showed multiple small hemorrhages on their surface and were heavy, beefy red and airless. Cut section showed copious amounts of blood stained fluid and were sinking in water. Lower lobes of both lungs showed partial collapse at places. Chest cavities contained 350 ml of blood stained fluid in each. Pericardial sac and heart (336 gm) appeared yellowish. Heart showed multiple petechial hemorrhages on its surface. Walls, valves and chambers appeared normal in dimension. Anterior descending branch of left coronary artery showed 80% narrowing of lumen by eccentric

atheromatous thickening of wall at a point 2cm below its origin with hemorrhage adjacent to it. Rest of its areas, right coronary and circumflex coronary arteries were normal. Aorta showed fatty streaks and yellowish discoloration. Liver (2175 gm) was enlarged, surface showed petechial hemorrhages. Cut surface was yellowish, granular and friable. Spleen (181 gm) was flabby, congested and friable. Kidneys (right 306 gm, left-278 gm) were enlarged, flabby, edematous, showed yellowish discoloration, subcapsular hemorrhages and distinct corticomedullary demarcation. Urinary bladder was empty. All other internal organs showed yellowish discoloration and petechial haemorrhages on surfaces otherwise appeared normal.

166. Samples of viscera and viscera and blood were preserved and sent for chemical analysis. Tissue bits from organs were preserved and sent for histopathological examination. Blood sample was preserved and sent for serological examination and report came negative for Dengue, Leptospira, Chikungunya and Scrub Typhus. (MBNo.444/22 dated 28/10/2022).

167. Clinical case sheet bearing IP No.74255/22 of Government Medical College Hospital, Thiruvananthapuram was perused at autopsy. SARS Co V-2 TrueNAT test done prior to autopsy was

reported as negative. (SRF ID : 25/10/22/GMC/MDICU/TN001). Opinion as to cause of death was reserved pending laboratory investigation reports. No antemortem injuries were noted. The certificate was issued by her bearing her signature, designation and office seal, which is marked as Ext.P97. She received the report of chemical analysis No. 10039/22 dated 16.11.2020. She corrected the year 20 as 22, which , according to her is a typing error, which she already had corrected vide a letter. Based on the postmortem finding and result of laboratory examination she furnished her final opinion as postmortem finding and issued final opinion as to cause of death:- "As per requisition from Sub Inspector of Police, Parassala Police Station dated 26/10/2022, post-mortem examination was conducted on the body of one Sharon Raj. J.P, aged about 23 years involved in Crime No.1311/2022 of Parassala Police Station and the opinion as to the cause of death was reserved in the Post-mortem Certificate No.2913/2022 dated 26/10/2022 issued by the undersigned". The certificate of Chemical Analysis No.10039/22 dated 16/11/2020 received from the Chemical Examiner to Government is enclosed. It revealed no poison in the samples of visera and blood sample sent for analysis. The original histopathological report was already forwarded on 10-11-2022.

168. Based on the Post-mortem findings and results of laboratory examination, PW63 furnished final opinion as follows:-

Postmortem findings are consistent with death due to multi organ failure. Possibility of multiorgan failure following consumption of poison as per the history provided cannot be excluded.

169. The final opinion as to cause of death certificate above bearing her signature, designation and office seal is marked as Ext.P98. M.O.26 is handed over to PW63. In this label, PW63 deposed, kapiq herbicide and the compound paraquat dichloride are shown. According to her, 10-15 ml. of concentrated paraquat is sufficient in the ordinary course to cause death. She stated, in the KPF 102, it was mentioned suspicion of consumption of poison.

There is no antemortem injuries to account for death and no any evidence of natural diseases to cause death, according to PW63. She opined that postmortem findings and histopathological report are consistent with multi organ failure for which the only remaining possibility is poison, a poison that act on lungs, liver and kidney. She further opined, that the possibility of paraquat poisoning is highly

likely to cause death of Sharon Raj. She had given statement to Police.

170. During cross-examination she stated that when she gave statement to Police, the possibility of poisoning was stated, but she did not say that paraquat poisoning is highly likely to cause death. When it was suggested that she has improved it now as highly, likely, for the interest of Police, she denied it. When it was put to her whether she told the Police that fatal dose required is 10-15 ml of paraquat, she answered that such question was not asked by Police. Again when she was asked whether she told the Police that 10-15 ml paraquat dichloride in the ordinary course of nature to cause death, she answered , that question was not asked. It was suggested that the improvements are made to support the Police, which she denied. M.O. 26 was shown to witness. PW63 deposed that the strength of paraquat as per M.O.26 declaration is 24%, the balance 76 % will be additiives, M.O.26 label ingredients is paraquat dichloride, the composition is paraquat dichloride 24%, wetters, stabilizers, water etc. are 76% (Total 100%). When asked, what could have been administered never be a pure paraquat, she replied that pure paraquat is not commercially available . PW63 gave evidence in the same line that of Dr. V.V. Pillai's

'Comprehensive Medical Toxicology" that 10-15 ml paraquat will be sufficient in the ordinary course of nature to cause death. According to her, 10-15 ml paraquat composition will be sufficient to cause death. The estimated lethal dose is 10-15 ml. as stated by V.V. Pillai , according to accused, but PW63 replied that concentration of 2% will be sufficient . **Learned Senior Advocate showed a photocopy of V.V. Pillai's book, 'Comprehensive Medical Toxicology' containing usual fatal dose, and after referring the said page PW63 deposed that V.V. Pillai does not speak of composition and not mentioned about paraquat dichloride . PW63 further reads, "Estimated lethal dose is 10-15 ml of the concentrate. Ingestion of 20-40 mg of paraquat ion per kg body weight (7.5 to 15 ml of 20% weight per volume concentrate) results in death in most cases"** .According to PW63 if the contents in M.O.26 were used, the fatal dose will not be over the norms because the label states 25% paraquat dichloride, minimum concentration required is 20% , the contents as per M.O.26 has higher concentration than minimum required. She stated that pesticides come with additives or carrier does not alter the action of chemical involved . Paraquat is water soluble poison and if water is added, PW63 deposed, still

there will be 24% concentration and the same is shown in the label. There will not be any change in the action if something is added.

PW63 received the K.P. Form 102 in which the consumption of some poison was suspected prior to autopsy. She had perused clinical case records of the deceased but not histopathological or chemical analysis report prior to autopsy. By that time she had issued Ext.P98 . However, before issuing the final opinion she has gone through all lab reports, histopathological and chemical analysis report, she added. She did not give in writing to Police that she has strong suspicion of administration of paraquat. The words such as ulceration of lips and mouth, with reddened mucosa , cortical pallor of kidney, contrilobular necrosis of the liver, pulmonary fibrosis were absent in the Ext.P97, as per the version of PW63. These things were the findings of paraquat poison and she has given statement to that effect to Police . **In Ext.P97 yellowish colour were seen in every internal organ. It is part of multi organ failure.** Though the entire internal organs were found yellowish colour she never suggested paraquat administration. Learned Senior Advocate submitted that V.V. Pillai says that paraquat dichloride concentration can be found in the kidney, lung and muscle tissues weeks or months after ingestion. When the

same were put to PW63, she would say according to literature, the same is correct. She stated that reasonable time of paraquat excretion once it is ingested is 90% percent within 12 to 24 hours but **if the patient undergoes dialysis, the rate of elimination will be higher. The death of Sharon Raj was due to multi organ failure is a circumstance which could be proved by the evidence of PW63. The possibility of multi-organ failure was following consumption of poison. M.O.26, kapiq herbicide, 10-15 ml of concentrated paraquat is sufficient in the ordinary course to cause death is a relevant fact which could be proved by the evidence of PW63. The mentioning of suspicion of consumption of poison in the KPA 102 Form and there was no antemortem injuries to account for death of Sharon Raj and also no any evidence of natural diseases to cause death are relevant facts. The opinion of PW63 that the postmortem findings and histopathological reports are consistent with multi-organ failure for which the only remaining possibility is poison, a poison that acts on lungs, liver and kidney , paraquat poisoning is highly likely to cause death of Sharon Raj, according to PW63, are relevant facts. The fact that reasonable time of paraquat excretion,**

once it is ingested will be 90% compound excretion within 12-24 hours and if the patient underwent dialysis the rate of elimination will be higher is a relevant fact for not finding any poison in the sample of viscera.

DIGITAL EVIDENCE

171. Digital evidence means information stored or transmitted in binary form that may be relied on by the court. Digital evidence can be found in emails, digital photographs, ATM transaction logs, word processing, documents, instant message histories, files saved from accounting programmes, spreadsheets, internet browser histories databases, contents of computer memory, computer backups, computer print out, global positioning system tracks, logs from hotel's electronic door locks, digital video or audio files. The device can be looked for images, videos, sounds, removable cartridges, time & date stamps. The basic storage location of any computer is HDD(Hard Disc Drives). CD & DVD Drives are devices store files/data in which evidence can be found. It includes electronic devices, cloud storage, surveillance cameras etc. Once the hard disc is subject to any change, then even if it is restored to the original position, by reversing that change, the information can be retrieved by using software designed for that purpose. Given the

wide definition of the words "document" and "evidence" in the amended Section 3 the Evidence Act, readwith Sections 2(o) and (t) IT Act, there can be no doubt that an electronic record is a document. **The digital evidence are available in plenty and the Police brilliantly unearthed the truth behind the mystery.**

They are summerized below:

172. PW57, Land Acquisition Tahsildar and Executive Magistrate, KIFBI, is a key witness in this case who was present at the time of preparing 14 mahazars and he was an attester to those mahazars prepared after seeing the digital evidence displayed at the S.P. Office, Thiruvananthapuram in the laptop. PW3 was also present at the time of preparing the mahazars. He was summoned by the Police and as per the direction of Land Revenue Commissioner, PW57 co-operated with the investigating officers. It took two days to display the entire digital evidence and also to prepare mahazars. PW57 deposed, after identifying his signature in Ext.P12 mahazar prepared at 10.15 a.m. on 26.12.2022 that the three videos and two images displayed in the open court after playing Ext.P4 hard disk. The image, IMG 20211215082749, Ext.P4(a) is the image which was seen at the time of preparing Ext.P12 mahazar. PW3, Sajin had already identified Ext.P4(a) when

he was examined and he had deposed that the image contains the photographs of Sharon Raj and Greeshma. Item No. 2 of the image was shown to PW94 and she deposed that it is one male and one female who are travelling in a bus. 15.12.2021 is its capture date (Ext.P4(a)). The Q4 is the mobile used for taking photo. It is Realme phone. It is the phone belonged to Sharon. The same photo is seen modified on 4.10.2022. It has four duplicates, retrieved after extraction, deposed by PW94. This modified date showcasing the interaction of the mobile file system, according to PW94.

173. So also, Ext.P4(b), IMG 20220521091008 was identified by PW57, after playing Ext.P4 in the open court as the one played at the SP office at the time of preparing the mahazar. PW3 deposed that this image is that of Sharon and Greeshma. It were played in the open court and after having identified the images and videos PW82 deposed that those images and videos were seen by him at the time of preparation of mahazar. This picture which contains one male and female standing near to a bridge was shown to PW94 also and identified the same. The capture date of the photo is 21.05.2022. (Ext.P4(b)).

174. PW57 identified the video , VID 20211103-154948, Ext.P4(c) in the court, which he has seen at the time of preparing

the mahazar. In this video, according to PW3, Sharon is riding a motorcycle in which Greeshma was riding pillion. Ext.P4(c) video was shot on 3.11.2021 . The same is visible in the file. Another video, Ext.P4(d), VID20211221160829, played in the open court after playing Ext.P4 hard disk PW57 deposed that it was the one displayed at the time of preparing the mahazar at the SP office. PW3 had identified and deposed that in this video Sharon is riding the motorcycle and Greeshma was riding pillion. This video was shot, PW57 deposed after identifying the date mentioned in the video, that it was shot on 21.12.2021. Ext.P4(e) is the video , VID20211231083027, identified by PW57 after playing Ext.P4 in the court as that of same which was displayed while preparing Ext.P12 mahazar. This is the video in which Sharon and Greeshma were travelling by a bus, according to PW3. This Ext.P4(e) video was shot on 31.12.2021 , stated by PW57 after referring to the video file in the Ext.P4(e). Ext.P4(f) is the image , IMG 20211223124318, identified by PW57 after playing Ext.P4 in the court which he has seen at the time of preparing Ext.P13 mahazar in which he is an attester. PW3 is also an attester to Ext.P13. After having identified the Ext.P4(f) , after playing Ext.P4 in the court, PW57 deposed that it was shot on 23.12.2021 . Ext.P4(h), IMG

20211221124328 was also shot on 23.12.2021. Ext.P4(i), video, VID 2022062111194 was identified by PW57, which he had already seen while preparing Ext.P14 mahazar. He deposed that Ext.P4(i) was recorded on 21.06.2022. Ext.P4(j) video was also shot on the same day. It is a video, VID20220621114420 which is played in the court and identified by PW57 . Ext.P4(k) is a video VID20220621123411 shot on 21.6.2022 , it is identified by PW57 at playing Ext.P4 and described in Ext.P14 mahazar.

175. Nine images are seen as per Ext.P15 mahazar and PW57 identified all the images after playing Ext.P4 in the court and deposed that it were seen by him at the time of preparing Ext.P15 mahazar. PW3 is also an attester to the Ext.P15 . Ext.P4(l) is the image, IMG 20211204135926, shot on 4.12.2021, Ext.P4(m), image IMG 20211204140515, shot on 04.12.2021 , Ext.P4(n), image IMG 20211204141721 shot on 4.12.2021, Ext.P4(o), image IMG 20211204141725 shot on 04.12.2021, Ext.P4(p), image IMG 20211204141728-01 shot on 04.12.2021, Ext.P4(q) image IMG 20211204141732 shot on 4.12.2021, Ext.P4(r), image IMG 20211204141733, shot on the same day were identified by PW57 after playing Ext.P4 hard disk before court and further deposed that

the same were already displayed while preparing Ext.P15. PW3 also deposed in the same line as that of the deposition of PW57.

176. PW57 and PW3 were attestors to Ext.P16 mahazar. Ext.P4(s) is image IMG 20220504101050 shot on 4.05.2022 was identified by PW57 after playing Ext.P4 in the court which was displayed in Ext.P16 mahazar. Ext.P4(t), video VID 20221029-WA0004 was identified by PW57 after playing Ext.P4. The same is described in Ext.P16. This video is seen modified on 29.10.2022, which means it was recorded earlier. PW57 does not know the reason why the modified date is seen in the video file.

177. Ext.P17 mahazar was prepared by the investigating officer after seeing the search history of google map. It contains two images, Ext.P4(u) IMG 20220718094906 shot on 18.07.2022 and identified by PW57 after playing Ext.P4 in the court. Ext.P4(v) image IMG 20220718094913 shot on 18.07.2022 is visible in Ext.P4 hard disk in the 'evidence collection' file . This file will be available after opening 'Data from Q1'. Serial Numbers 5 and 6 are the search items in the 'evidence collection' and when it is opened and played in the court , search history report is seen and PW57 deposed that the customer has searched Golden Castle Inn Lodge , Thripparappu. Ext.P17 mahazar was prepared after seeing the

Ext.P4(v). In page No. 21482 of Ext.P4, Ext.P4 (w) image is seen . PW57 deposed that Ext.P18 mahazar was prepared after seeing the images, Ext.P4(x), IMG 20220822120011 and Ext.P4(y), IMG 20220822120419 were seen by him at the time of preparing Ext.P18 mahazar. The video contained in the same mahazar, Ext.P4(z), VID 20220822120014 was played in the court, identified by PW57 and stated that the same was displayed at the time of preparing Ext.P18 mahazar. This video was shot on 22.08.2022 as per the video file .

178. Ext.P5 mahazar was prepared after seeing the video, after opening the 'Data from Q7', AOI-2021014101249 . The same was played in the court and identified by PW57 and deposed that it is a CCTV footage dated 14.10.2022 . The said video containing the CCTV footage was marked as Ext.P4(a1). PW2 was also present for identifying Ext.P4(a1) at the time of preparing Ext.P5, deposed by PW57. He identified the video which was displayed at the time of preparing Ext.P5. Ext.P4(a2) is the video, A01-20221014115538 shot on 14.10.2022 is also video of CCTV footage which was described in Ext.P5 mahazar. PW2 was also present for identifying the video.

179. Ext.P6 mahazar was prepared after identifying the CCTV footages in two videos. The same was played in the court using Ext.P4 hard disk. PW57 identified the CCTV footages which he had already seen at the time of preparing Ext.P6. He deposed that after opening the 'Data from Q8' and the video file, A01-20221014101300 shot on 14.10.2022 can be seen , which according to him was displayed at the time of preparing Ext.P6 mahazar. The said video was marked as Ext.P4(a3). The second video , Ext.P4(a4) , A01-20221014114300 , shot on 14.10.2022 was identified by PW57 when played in the court and deposed that it was described in Ext.P6. PW62 is an attester to Ext.P6 prepared by S.I. of Police, Parassala after seeing a house at Mekkadu where Greeshma and Sharon spent time. PW62 identified his signature in Ext.P6. No any witness has stated about this house where Greeshma and Sharon spent their time.

180. PW57 is an attester in Ext.P3 mahazar prepared after identifying the voice and chats. The same was available after opening the file, 'Data from Q4' . Ext.P4(a5)is the voice clip, PTT-20221014-WA0005.OPUS , identified by PW57 and deposed that the same was heard at the time of preparing Ext.P3 mahazar. PWs 1 and 3 were also present at the time of preparing the mahazar and

playing the voice clips to identify the voices. This voice was identified by PW1 and PW3 . PW3 deposed after playing Ext.P4 in the court and deposed that this is the voice of Sharon in which he is saying “ചേട്ടന്റെ അടുത്ത് പറയാൻ പറല്ല , ഇതുപോലൊരു കഷായം കുടിച്ചെന്ന് . മറ്റേ അന്നം നമ്മൾ കുടിച്ചില്ലേ, ഒരു ...മാ.. expiry date കഴിഞ്ഞത് ഒരു കയ്പുള്ളത് ... അതുപോലത്തെ ഒരു സാധനം കുടിച്ചതൊട്ട് ഛർദ്ദിൽ എന്നാണ് വീട്ടിൽ പറഞ്ഞത്.”

Ext P4(a5) voice is a relevant fact and important disclosure by Sharon that he had consumed a concoction . It is clear from his voice that he had taken a concoction earlier and it had bitter taste. It is further clear from his voice that after taking the kashayam he started vomiting . Therefore, the evidence of PW3 that he has seen Sharon coming out of the house of Greeshma after spending 20 minutes at her house after 10.30 p.m. on 14.10.2022 , Sharon started vomiting is a proved circumstance. This voice chat, Ext.P4(a5) was sent by Sharon from his mobile number to the mobile number of Greeshma via whatsapp. The same was deleted by Greeshma, but retrieved by PW94.

181. Ext.P4(a6) is another voice clip PTT-20221014-WA006.OPUS available in Ext.P4 hard disk and PW3 identified the voice . PW57 deposed that the same was heard at the time of preparing the mahazar. PW3 specifically stated that. “ ഇച്ചാ, എനിക്കും ഈ ജൂസിൽ എനിക്ക് എന്തോ doubt തോന്നുന്നു....അതോ normal taste ആയിരുന്നോ? കുഴപ്പം ഒന്നും ഇല്ലല്ലോ? അത് ചെയ്തതാണോ എന്തോ ". This voice was identified by PW57 and PW3, after playing Ext.P4 in the court.

Audio clip, Ext.P4(a6) is an extrajudicial confession by accused Greeshma that she served juice to Sharon and she also doubted about the content. She pretends ignorance about the content and taste of the juice. She also wanted to know whether it ‘reacted’ in the body of Sharon. This voice was specifically identified by PW3 and he deposed that he knew the voice of Greeshma as she had contacted him earlier over phone. PW57 deposed that Ext.P4(a6) audio clip is dated 14.10.2022 which proves specifically that Greeshma wanted to know the progress of poison. It further proves that she gave juice to Sharon on 14.10.2022. This is an important circumstance which could not be challenged in the cross-examination.

182. The whatsapp chat between Sharon Raj and Greeshma from 14.10.2022 to 18.10.2022 were recovered by the investigation team from the mobile phone belonged to Greeshma and the said whatsapp chat, after having retrieved it were displayed and a mahazar was prepared . The same was attested by PW57 and marked as Ext.P91. In this mahazar the whatsapp chat between Sharon Raj and Greeshma are described in the mahazar. PW57 deposed that the whatsapp chats starts from the time when Greeshma inviting Sharon Raj to her house on 14.10.2022. PW57 read over the message of Greeshma before Court after seeing the image that her uncle and mother will go out soon and she will keep the gate open. PW57 deposed that in the message, Sharon Raj was informing Greeshma via whatsapp chat that Sharon Raj saw Greeshma's mother . The evidence of PW2 that while Sharon was riding pillion in the motorcycle driven by PW2 and when they reached at ilangara, they saw Activa scooter coming from opposite side in which Greeshma's mother and uncle were travelling. This evidence is corroborated by the evidence of PW57 and the Ext.P4(a10) text document, chat 442 documents. As per the same text document, Ext.P4(a10) , PW 57 deposed , Sharon sent a message to Greeshma 45 minutes after Sharon saw her mother and

uncle at Ilangara on 14.10.2022 that he vomited in green colour and he cannot drink water. This message was sent from the mobile number belonged to Sharon, 9074171590 to the mobile number of Greeshma , 8925888533. This fact is not cross-examined specifically apart from the general challenge against the acceptance of digital evidence. **The evidence of PW2 and PW57 will prove that on 14.10.2022 Greeshma had enticed Sharon from his house , informed him that her mother and uncle went out and the gate was kept open. This will substantiate the prosecution case that Greeshma abducted Sharon from Parassala to Poovampallikonam. Evidence of PW2, PW57, Ext.P4(a10) whatsapp chat document, specifically proves the fact that on 14.10.2022 Sharon had informed Greeshma soon after the consumption of kashayam and juice from her house, he vomited in green colour and he is not able to drink water.**

183. PW57 is an attester to Ext.P92 mahazar prepared by the investigating officer after seeing the delete history of data from the mobile phone of Greeshma. PW57 deposed that he saw retrieving the data from the Redme mobile phone of Greeshma and also the data relating to deleting of data which were retrieved. Further , from

that mobile , search was made whether anyone can retrieve the deleted data. The same was found in serial numbers 5 to 9 (two pages) in page No. 9913 in the 'Q1' folder - 'evidence collection' - cloud Data'. The said image in page numbers 9913 and 9914 are identified by PW57 which were also seen at the time of preparing Ext.P92 mahazar. The said pages are marked as Ext.P4(a11). PW57 specifically stated that item No. 5 is "how to open back up data in google drive", item No. 6 is "how to view backup whatsapp messages in google drive", item No. 7 is "how to retrieve deleted messages on whatsapp". The search was made by Greeshma and the source chrome account is 'GREESHMS.SS'. PW57 further stated that IMEI numbers of both the mobile phone numbers is described in the mahazar. He identified accused Greeshma in the dock and deposed that in the videos and images in Ext.P4, the same person is seen.

184. In the cross-examination PW57 further stated that Ext.P4(w), Ext.P4(a7), Ext.P4(a8), Ext.P4(a11 series), were collected from 'Data from Q1' folder, Ext.P4(a1) and Ext.P4(a2) were retrieved from 'Data from Q7', Ext.P4(a3) and P4(a4) were retrieved from 'Q8' folder and all the remaining Ext.P4 series were from 'Data from Q4' folder. It is submitted by learned Senior

Advocate that Ext.P4(t) video was modified on 29.10.2022 and therefore, all the other videos and images will also show the modified date and not the exact date on which it were shown or recorded. When the same was put to PW57, he deposed that whether such modification was made can be stated by expert only. It is submitted by learned special public prosecutor that the exact date on which the original videos were recorded or images shot are discernible from the 'properties'. The same is found to be correct when the properties were opened. Admittedly PW57 had not seen the whatsapp chat prior to 14.10.2022. He has seen only the files which are described in the mahazars. He specifically deposed that he has seen the preparation of mahazar and its writings. It is further submitted on behalf of accused that IMEI numbers of mobile phones were not there in the images. Admittedly PW57 has not seen IMEI numbers in the images. However, there is no dispute with respect to the mobile numbers of both Sharon and Greeshma. The 'Google Chrome Account ' GREESHMS.SS' is not disputed by accused. This is the 'Source Chrome Account ' and the same is also not disputed. Ext.P4 was connected, opened and played in the presence of PW57, Rural S.P., S.I. of Police of Cyber Cell etc while preparing mahazars. No more questions were put to PW57 in the

cross-examination . Nothing material was brought to discredit his version. He is a Tahsildar and Executive Magistrate, a very responsible officer to the State of Kerala who attested the 14 mahazars and his integrity cannot be doubted. No any circumstance is brought to impeach his creditworthiness of PW57.

185. Sub Inspector of Police, Cyber Crime Police Station, Thiruvananthapuram, PW82 was the member of Special Investigation Team of this case. He conducted investigation of this crime as per the direction of Dy.S.P. He prepared Ext.P45 mahazar at Blue Star Furniture Shop, Chekkummoodu at 12.40 p.m. on 3.11.2022 in which 4 CCTV cameras were seen as deposed by PW82 and in camera No. 1 PW2 and Sharon were passing by a motorcycle and after visiting Greeshma's house they were returning and those visuals were seen in the CCTV. After seeking permission from PW20, Sujith, who was in charge of the shop, PW74 Shaji Das, SCPO , Thiruvananthapuram Rural Cyber Cell copied the visuals into the pendrive using two imager and generated hash value. For that purpose Ext.P45 mahazar was prepared in which PW82 is a signatory. The pendrive so collected, Sandisk 8 GB pendrive was marked as Ext.P130. The consent letter issued by PW20 was identified by PW82. PW82 identified Exts. P115 and P116 in the

court. At 2 p.m. on 3.11.2022 PW82 prepared another mahazar after seeing the CCTV visuals of 14.10.2022 at around 10.15 a.m. in which PW2 and Sharon were travelling by a motorcycle. The said visuals were copied by PW74 into pendrive for which Ext.P63 mahazar was prepared by PW82. He identified his signature in Ext.P63. The Sandisk 8GB pendrive containing those visuals are marked as Ext.P131. He identified Exts. P113 and Ext.P114, Section 65B certificates. Ext.P49 consent letter obtained from PW24 Sheeja kumari of Akhil Petroleum shows that the visuals were recorded with her consent and it was identified by PW82. At 10.15 a.m. on 26.12.2022, Ext.P4 hard disc was opened and in the file, "data from Q4 ' two images and 3 videos were seen by PW82 and Ext.P12 mahazar was prepared by him in which he , along with witnesses has signed the mahazar. The images and videos were identified by PW82 as shown by PW3. Ext.P4(a), P4(b), P4(c), P4(d) and P4(e) were played in the open court. After having identified the images and videos PW82 deposed that those images and videos were seen by him at the time of preparation of mahazar. Ext.P13 mahazar was prepared by PW82 , seeing Ext.P4(f), P4(g) and P4(h) after opening data from Q4 file and the images were identified by PW 82 and witnesses . Ext.P4(f), (g), (h) were played in the open court. PW82

identified those images. He further stated that those were identified by PW3 at the time of preparation of mahazar. PW82 prepared Ext.P14 mahazar at 11.15 hours on 26.12.2022 after opening the data from Q4 file in Ext.P4 and seen three videos at the time of preparing mahazar. PW82 identified his signature in Ext.P14. Exts. P4(i), P4(j), P4(k) are played in the open court and witness, after having identified the video stated that these videos were seen by him at the time of preparing Ext.P14. He prepared Ext.P15 mahazar at 12.00 hours on 26.12.2022 . After opening the 'Q4' file in Ext.P4 and having seen 9 images as identified by the witnesses at the time of preparing Ext.P15. He identified his signature in Ext. P15. Exts. P4(l), (m), (n),(o),(p),(q),(r) are played in the open court. After having identified the images the witness deposed that those images were seen by him at the time of preparing mahazar. PW82 prepared Ext.P16 mahazar at 14.00 hours on 26.12.2022. After opening data from Q4 file in Ext.P4, and after having seen image and video files he prepared Ext.P16 mahazar. He identified his signature in Ext.P16. Exts. P4(s) and P4(t) were played in the open court and identified one image and video and after seeing this PW82 prepared Ext.P17 mahazar at 14.45 hours on 26.12.2022. Exts. P4(u) and Ext.P4(v) were played

in the open court. The same were identified by PW82. Ext.P4(w) was played in the court. At 15.15 hours on 26.12.2022 PW82 prepared Ext.P18 mahazar and he identified his signature in the mahazar. Ext.P4(x), P4(y) and P4(z) were played and PW82 identified two images and one video. He specifically stated that Ext.P4(x) is the video of juice challenge conducted at Kuzhithura bridge and after seeing the image he identified Greeshma and Sharon. He further deposed that at the time of preparing mahazar PW3 had identified those persons as Sharon and Greeshma. **Ext. P4 (z) is the video, in which PW82 deposed, it is seen that Greeshma was conducting juice challenge at Kuzhithura bridge with Sharon and also handing over the juice in the videos. Those persons were identified by PW3 at the time of preparing the mahazar by PW82.** The same was described in the mahazar also.

186. Ext.P5 mahazar was prepared at 16 hours on 26.12.2022 by PW82. Ext.P4(a1) and P4(a2) files were opened and played in the court. After having watched the videos PW82 deposed that the video contains PW2 and Sharon passing through in a motorcycle and the same was identified by PW2 at the time of preparing the mahazar. PW82 prepared Ext.P6 mahazar at 16.30 hours on

26.12.2022 in which two videos are contained. Ext.P4(a3), P4(a4) were played in the court and identified by PW82 as that of the videos identified at the time of preparation of mahazar. PW82 identified his signature in Ext.P3 mahazar prepared at 17.30 hours on 26.12.2022 . Ext.P4(a5) and Ext.P4(a6) were played in the open court. PW82 identified the audio files and deposed that it were the voice of Greeshma which were identified by PW1 and PW3 at the time of preparing the mahazar by him. PW82 identified his signature in Ext.P89 mahazar prepared at 10.30 hours on 27.12.2022. Ext.P4(a7) was played in the court and he identified the image. The said image was identified by PW57 Noushad at the time of preparing the mahazar. PW82 identified his signature in Ext.P90 prepared at 11.30 hours on 27.12.2022 . Ext.P4(a8) and P4(a9) were played in the court. PW82 deposed that PW57 had identified the web search history about the excess use of the paracetamol at the time of preparation of mahazar. Ext.P4(a9) was played in the court and the same was described in Ext.P90. Ext.P91 was prepared at 13.30 hours on 27.12.2022 . Ext.P4(a10) was played in the court in which the whatsapp chat between Greeshma and Sharon from 14.10.2022 to 18.10.2022 were seen and identified by PW82. Ext.P92 was prepared by PW82 at 17.30 hours on

27.12.2022, after opening the Q1 file and cloud data. The same is with respect to web search history as to know whether anyone can retrieve the data which was deleted. The same was also identified by PW82.

187. In the cross-examination he specifically stated that witnesses have identified the visuals described in Ext.P45 . He had seen the original device , Hikvision and visuals were copied from that device. He fairly conceded that he did not know the persons appeared in Ext.P4(a1) video earlier. While playing the video in the court, PW82 deposed, it is difficult to identify the persons who are travelling on the motorcycle. However, he clarified the position that the same was identified by PW2 who was travelling on the motorcycle. One can easily identify himself . PW82 prepared mahazar after having identified those persons by PW2 and PW3 in his presence. PW2 specifically stated about the time and date of his travel on motorcycle with Sharon Raj to Greeshma's house which is corroborated by the evidence of PW82. He reiterated in the cross-examination that in Ext.P4(x) image Greeshma was holding a juice bottle in her hand . That image was taken at 12 noon on 22.08.2022. Learned Senior Advocate submitted that it is also seen in the 'properties' that it was created on 12.12.2022 at 7.30 p.m.

The same is impossible because Sharon died on 14.10.2022 . Learned Special Public Prosecutor submitted that the same was modified for the purpose of investigation. The same was got examined by the FSL and received back and therefore, the date on which the image was taken alone is relevant, which is 12 noon on 22.08.2022. Learned Senior Advocate then submitted that the date 12.12.2022 appears in the properties of Ext.P4(y) also because it were downloaded from some other computer for the purpose of this case. In fact PW82 reiterated that in Ext.P4(y) 'data taken on 12.04 p.m. on 22.08.2022' is written specifically in the properties. The said image was modified and created on 13.12.2022 at 7.32 p.m. The time itself shows that Ext.P4(x) or Ext.P4(y) cannot be taken at 7.30 p.m or 7.32 p.m. because the visuals were taken in the broad day light. Therefore, the evidence of PW82 that Ext.P4(x) was taken at 12 noon on 22.08.2022 and Ext.P4(y) was taken at 12.04 p.m. on 22.08.2022 can be believed without any doubt. It is vehemently argued that the searches made by Greeshma could not be proved. This is absolutely incorrect. PW82 deposed that as per Ext.P4(a7) the search was made via 'source chrome account'. The mahazars were prepared at Crime Branch Office after seeing all these details. It was chrome account extraction, according to

PW82. When it was put to PW82 whether one can say specifically that Greeshma had chrome account and from that account the searches were made, he specifically stated that the searches were made by Greeshma from her Redmi mobile and its IMEI No. is 864712056283950864712056283968 . The same is mentioned in Ext.P18 and P19 mahazars . This is not denied by accused.

Therefore, it is proved beyond any doubt that all the searches were made by Greeshma from her mobile phone using the chrome account. PW82 denied the suggestions put to him that the mobile phone was seized from Greeshma and browsed at the whims and fancies of the investigation team and thereby the data dated 28.10.2022 appeared in the account of Greeshma about how to delete the retrieved data etc. **The evidence of PW82 would corroborate the evidence of PW2, PW3 and PW57, that mahazars were prepared at the crime branch office after seeing the images, videos of Sharon, Greeshma and Web Search History leading to the commission of the crime. The evidence of PW82 proves specifically that Ext.P4 hard disk contains true and correct images and videos in which Sharon Raj and Greeshma were seen conducting juice challenge at Kuzhithura bridge at 12 noon on 22.08.2022**

and this is important circumstance by which Greeshma formed intention in her mind, made preparation for the attempt to poison Sharon. The Ext.P4(x) and P4(y) images and Ext.P4(z) videos are believable going by the evidence of PW2, PW3, PW57 and PW82.

INTERNET SEARCH

188. Greeshma conducted google search through her chrome account from her Redmi mobile bearing IMEI No. 864712056283950864712056283968 which could not be denied by accused, is a relevant fact. The mental condition of a person can only be gathered from the circumstances and by deductions and inferences from the proved circumstances. In this regard, the normal human conduct is to be taken as a touchstone while analysing the particular conduct and preparation of a person. It is to be noticed that by way of the Internet, YouTube etc., which can be accessed by a handheld device, like the mobile phone, information regarding anything in the world can be searched and collected. Just like the action of a person picking up a stone to throw an object, in the primitive ages would unravel his preparation and intention to make the throw, a person's online searches and digital foot print on

the cyberspace, regarding a particular object, throws light on his propensity regarding the things searched.

189. **If a person searches for a new model of a car in the Internet, it reveals his interest, or his preparation to purchase the said car. Likewise, if a person searches the Internet and YouTube how to poison a person by administering overdose of paracetamol by mixing it with juice by deceitful means and also mix paraquat herbicide with kashayam, her preparation and intention to commit the offence of murder is crystal clear.**

190. **The evidence of PW2, PW3 , PW20, PW24, PW57, PW82, that PW2 and Sharon were travelling to the house of Greeshma at about 10.15 a.m. on 14.10.2022 and after a while, both were returning back as seen in Ext.P4(a1) and P4(a2) videos and the evidence of PW2 who was riding the motorcycle that Sharon appeared to be weak while returning back is corroborated. The evidence of PW2, PW3, PW57, PW82 to the effect that it was the voice of Greeshma who was speaking over her mobile to PW1 could be further corroborated by Ext.P4(a5) and Ext.P4(a6) audio files.**

191. A mahazar was prepared for identifying the voice of Greeshma. PW1 had entrusted the voice clips of the conversation between Greeshma and PW1 on 22.10.2022. He also produced the mobile phone used for voice recording, the memory card, and the CD containing the voice of both, which was copied by PW1. A separate mahazar was prepared for this. He also produced Section 65B certificate. He specifically identified A1 in the dock and also her mother and uncle, A2 and A3, respectively.

192. PW1 identified the voice clips of the conversation between Greeshma on 22.10.2022. He had recorded voice of Greeshma in his mobile phone, Samsung Galaxi M 23 , M.O.41. He had recorded the voice in a CD and produced before the Police, Ext.P 103. The memory card of M.O.40 was marked as M.O.41(a). PW2 produced Section 65 B certificate certifying that M.O.40, M.O.41, M.O.41(a), Ext.P103 were in his proper custody. The same was already marked as Ext.P2. Ext.P104 is the certificate issued by PW1 with respect to the mobile phone of Sharon stating that the mobile phone of Sharon was in his proper custody. The marking was opposed by learned counsel for accused stating that PW1 is not competent to issue the certificate. Therefore, the document was marked subject to the above objection. When PW1 deposed earlier

on 15th and 24th he had deposed by mistake that Ext.P2 is the Section 65 B certificate of the mobile phone belonged to Sharon. In fact that was of the mobile phone belonged to PW1 .

193. PW1 further deposed that after the disclosure by Sharon to his father that Greeshma had given Sharon kashayam laced with some poison, PW1 contacted Greeshma over phone so as to get some disclosures from her. According to PW1 it was willfully recorded so as to record her voice and also to get some admissions because by that time PW1 was aware that Greeshma had poisoned Sharon. Ext.P103 was played in the open court. The file number, 'call recording Greeshma chechi 22.10.22' is opened and played in the court. It was PW3 who had sent contact number of Greeshma , that is why it was mentioned as Greeshma chechi.

194. Ext.103 voice was recorded by PW1 and the same was produced before Dy.S.P. PW1 identified the voice of Greeshma and that of himself. The entire voice recordings were played in the open court. The above said particular file was marked as Ext.P 103(a). In that file Greeshma was heard saying, when asked the details of kashayam by PW1, that she does not know the sticker , the details of the kashayam. In the voice clip PW1 was asking about the photo

of the kashayam bottle and A1 was replying that the sticker of the bottle has been washed off. PW1 deposed further that when he asked about the cap of the bottle , after having identified his voice , A1 was saying that the same is not available. PW1 was heard in the voice clip asking the label to which she replied that there is no label available. She was heard saying that she does not know. Then PW1 was heard asking, the prescription and the name of Doctor. She was also saying that there was no prescription but the Doctor was coming to her home for her treatment.

195. PW1 stated about the admission of Greshma in the voice, Ext.P103 (a) that Greeshma herself poured kashayam in a glass and gave to Sharon. Further, PW1 stated, Greeshma was admitting as per Ext.P103(a) voice clip that Sharon vomited at her house in green colour. The second file in Ext.P103, by name,'call recording Greeshma chechi', Ext.P 103(b) was identified by PW1 when played in the open court. That was a call made by Greeshma to PW1. She was replying about the shop from which she purchased kashayam. , according to PW1. PW1 specifically identified A1, A2 and A3 in the dock.

196. CPO of Thiruvananthapuram Rural District S.P. Office, Crime branch , PW73 is an attester to the various mahazars prepared at the S.P. office by the investigating officer. PW73 deposed that the 3 CDs were recorded at All India Radio on 10.11.2022. He identified three CDs containing voice samples of A1 . Ext.P107 mahazar was prepared by the investigating officer, which was attested by PW 73, after seeing the CDs. PW73 identified the brown packets of 3 CDS which are brown packets containing the seal of AIR. The 3 CDS are marked as M.O.42 series (3 numbers). Section 65B Evidence Act Certificates accompanying the CDs are marked as Ext.P108 series (3 numbers) . 109. The Deputy Director General, All India Radio, Thiruvananthapuram, PW87, deposed that the voices of Shimon Raj and Greeshma were recorded at All India Radio for the purpose of this case. He had issued Section 65B certificate, Ext.P108 for certifying the voice samples of Greeshma and Ext.P148 Section 65 B certificate for the voice samples of Sheemon Raj. PW87 was not cross-examined.

197. A voice print is a visual recording of voice. It mainly depends on the position of “formants”. These are concentrates of sound energy at a given frequency. It is stated that their position in the “frequency domain” is unique to each speaker. Voice prints

resemble finger prints, in that each person has a distinctive voice with characteristic features dictated by vocal cavities and articulates. (87th Report of the Law Commission dated 29th August, 1980).

198. Often the tape recorded conversations are produced to prove any matter or fact before the court. So far as the proof of the same is concerned, in **R.M. Malkani vs State Of Maharashtra** (1973 AIR 157, 1973 SCR (2) 417), at page 23, it has been held that tape recorded conversation is admissible provided first the conversation is relevant to the matters in issue; secondly, there is identification of the voice and. thirdly, the accuracy of the tape recorded conversation is proved by eliminating the possibility of erasing the tape record. A contemporaneous tape record of a relevant conversation is a relevant fact and is admissible under [section 8](#) of the Evidence Act. It is res gestae. It is also comparable to a photograph of a relevant incident. The tape recorded conversation is therefore a relevant fact and is admissible under [section 7](#) of the Evidence Act.

199. In **Ram Singh Vs. Col Ram Singh** 1986 AIR(SC)3, the Hon'ble Supreme Court has laid down the following conditions for admissibility of Telephonic conversations as evidence;

12. *The voice of the person alleged to be speaking must be duly identified by the maker of the record or by others who knew it.*

13. *Accuracy of what was actually recorded had to be proved by the maker of the record and satisfactory evidence, direct or circumstances had to be there so as to rule out possibilities of tampering with the record.*

14. *The subject matter recorded had to be shown to be relevant according to rules of relevancy found in the evidence Act." (Ephes ours) Thus, so far as this Court is concerned the conditions for admissibility of a tape recorded statement may be stated as follows: The voice of the speaker must be duly identified by the maker of the record or by others who recognise his voice. In other words, it manifestly follows as a logical corollary that the first condition for the admissibility of such a statement is to identify the voice of the speaker. Where the voice has been denied by the maker it will require very strict proof to determine whether or not it was really the voice of the speaker.*

The accuracy of the tape recorded statement has to be proved by the maker of the record by satisfactory evidence - direct or circumstantial.

Every possibility of tampering with or erasure of a part of a tape recorded statement must be ruled out otherwise it may render the said

statement out of context and, therefore, inadmissible.

The statement must be relevant according to the rules of Evidence Act.

The recorded cassette must be carefully sealed and kept in safe or official custody.

The voice of the speaker should be clearly audible and not lost or distorted by other sounds or disturbances.

200. While deciding the evidentiary value of tape recorded conversation, [in Yusufalli Esmail Nagree v. State of Maharashtra](#) [1967] 3 S.C.R. 720 it has been reiterated that if a statement is relevant, an accurate tape record of the statement is also relevant and admissible. The time and place and accuracy of the recording must be proved by a competent witness and the voices must be properly identified. One of the features of magnetic tape recording is the ability to erase and re-use the recording medium. Because of this facility of erasure and re-use, the evidence must be received with caution. The court must be satisfied beyond reasonable doubt that the record has not been tampered with. The tape was not sealed and was kept in the custody of Mahajan. The absence of sealing naturally gives rise to the argument that the recording medium might have been

tempered with before it was replayed. In **N. Sri Rama Reddy, etc. v. V.V.Giri** [1971] 1 S.C.R at page 399, it is further observed as follows:

"Having due regard to the decisions referred to above, it is clear that a previous statement, made by a person and recorded on tape, can be used not only to corroborate the evidence given by the witness in Court but also to contradict the evidence given before the Court, as well as to test the veracity of the witness and also to impeach his impartiality."

201. **The evidence of PW1, PW2, PW3, PW57, PW82 and Ext.P90, Ext.P4(a8), Ext.P4(a9) prove that Greeshma had conducted web search about the consequence of the excess use of paracetamol from her google account before conducting the juice challenge on 22.08.2022. It is proved by the evidence of PW1, PW2, PW3, PW57, PW82, Ext.P91 and the number of whatsapp chats, Ext.P4(a10) that Greeshma had continuous communication with Sharon Raj from 14.10.2022 to 18.10.2022 which, according to prosecution is to watch the progress of poisoning. It is proved by Ext.P92 that Greeshma had conducted web search as to how to delete the data retrieved and whether**

anyone can detect the search, from her google chrome account, after death of Sharon and soon before her arrest.

202. The evidence of PW57 will corroborate the evidence of PWs 1 to 3 with respect to the abduction, attempt to commit the offence on 22.08.2022, abduction of Sharon from Parassala to Greeshma's house on 14.10.2022, administration of kashayam laced with poison, paraquat herbicide on 14.10.2022, vomiting by Sharon in green colour soon after the consumption of the kashayam mixed with poison and juice , he was not able to drink water soon after the consumption, Greeshma's admission as to the administration of poison, Sharon's disclosure as to the cause of death and other attending circumstances as described above.

203. Electronic records are relevant to prove any facts. In *Shafhi Mohammad v/s State of Himachal Pradesh* 2018 AIR(SC) 714 , the Hon'ble Supreme Court has held that it will be wrong to deny to the law of evidence advantages to be gained by new techniques and new devices, provided the accuracy of the recording can be proved. Though such devices are susceptible to tampering, no exhaustive rule could be laid down by which the admission of

such evidence may be judged. Electronic evidence was relevant to establish facts. The term “electronic record” is defined in [Section 2\(t\)](#) of the Information Technology Act, 2000 as follows:

“Electronic record” means data, record or data generated, image or sound stored, received or sent in an electronic form or micro film or computer generated micro fiche.”

Expression “data” is defined in [Section 2\(o\)](#) of the Information Technology Act as follows:

“Data” means a representation of information, knowledge, facts, concepts or instructions which are being prepared or have been prepared in a formalised manner, and is intended to be processed, is being processed or has been processed in a computer system or computer network, and may be in any form (including computer printouts magnetic or optical storage media, punched cards, punched tapes) or stored internally in the memory of the computer.”

204. It is simply contended that the electronic evidence produced by prosecution can not be relied safely. The law on the point discussed with reference to electronic evidence explicitly holds that video footage of events recorded in electronic devices have to be treated as documentary evidence and the certificate u/s 65 B of Evidence Act can be produced at any time before the hearing in a trial is not over, the belated production of such

certificates is also permissible. Though the Electronic records have to be treated as documents, and marked as Exhibits, due to an inadvertent oversight, since the Compact discs, pen drives etc., were produced in this case as material objects by the police, they were marked as MO's. However, all the electronic records were displayed in open court, while the relevant witnesses were examined and they identified the contents. The defence had also notice to such displaying of contents of electronic records in open court through the display unit/monitor of the court and have not objected to such procedure. Hence it is found that the marking of electronic records as MO's in this case has not caused any prejudice to the accused.

205. Therefore, it is clear that as per the Information Technology Act - 2000, electronic record means data, record or data generated image or sound stored, received or sent in an electronic form or micro film or computer generated micro-fiche. Section 65-A provides that the contents of electronic records may be proved in accordance with the provisions of Section 65-B. Thus, Section 65-A provides for a special procedure for proving of contents of electronic record. In furtherance thereof, Section 65-B provides for the procedure.

DYING DECLARATION OF SHARON RAJ

206. The law relating to dying declarations covered by Sec. 32 (1) had been succinctly stated by the Privy Counsel in *Pakala Narayana Swami Vs. Emperor* (AIR 1939 PC 47). The Court held the scope and meaning of the word “circumstances of transaction” as follows :- “It has been suggested that the statement must be made after the transaction has taken place, that the person making it must be at any rate near death, that the “circumstances” can only include the acts done when and where the death was caused. Their Lordships are of opinion that the natural meaning of the words used does not convey any of these limitations. The statement may be made before the cause of death has arisen, or before the deceased has any reason to anticipate being killed. The circumstances must be circumstances of the transaction: general expressions indicating fear or suspicion whether of a particular individual or otherwise and not directly related to the occasion of the death will not be admissible. But statements made by the deceased that he was proceeding to the spot where he was in fact killed, or as to his reasons for so proceeding, or that he was going to meet a particular person, or that he had been invited by such person to meet him would each of them be circumstances of the transaction, and would

be so whether the person was unknown, or was not the person accused. Such a statement might indeed be exculpatory of the person accused. "Circumstances of the transaction" is a phrase no doubt that conveys some limitations. It is not as broad as the analogous use in "circumstantial evidence" which includes evidence of all relevant facts. It is on the other hand narrower than "res gestae." Circumstances must have some proximate relation to the actual occurrence: though, as for instance, in a case of prolonged poisoning they may be related to dates at a considerable distance from the date of the actual fatal dose. It will be observed that "the circumstances" are of the transaction which resulted in the death of the declarant. It is not necessary that there should be a known transaction other than that the death of the declarant has ultimately been caused, for the condition of the admissibility of the evidence is that "the cause of (the declarant's) death comes into question."

207. This principle relied on by the Privy Council was followed by the Supreme Court in *Patel Hiralal Joitaram VS. State of Gujarat* (2002) 1 Supreme Court Cases 22), wherein it was held that (Para. 29), "The words "statement as to any of the circumstances" are by themselves capable of expanding the width and contours of the

scope of admissibility. When the word “circumstances” is linked to “transaction which resulted in his death” the sub-section casts the net in a very wide dimension. Anything which has a nexus with his death, proximate or distant, direct or indirect, can also fall within the purview of the sub section. As the possibility of getting the maker of the statements in flesh and blood has been closed once and for all the endeavour should be how to include the statement of a dead person within the sweep of the sub-section and not how to exclude it therefrom. Admissibility is the first step and once it is admitted the court has to consider how far it is reliable. Once that test of reliability is found positive the court has to consider the utility of that statement in the particular case.

208. The material evidence was brought by the statement given by Sharon Raj to Judicial First Class Magistrate X1, Thiruvananthapuram , PW68 who recorded Ext.P105 statement of Sharon Raj on 20.10.2022. It was dying declaration of Sharon Raj, according to PW68. Sharon was conscious and oriented and his medical condition was verified by the attending Doctor before recording the statement. Few preliminary questions were asked by PW68 to see whether he is capable to give statement. It is mentioned in Ext.P105 that patient was stable, conscious and

oriented. Ext.P105(a) report was also annexed along with Ext.P105. A certificate was issued by the Doctor to that effect. PW68 deposed that Sharon had breathlessness . That was his difficulty in speaking. The same is mentioned in Ext.P 105. As it was stated by the Doctors, the learned Magistrate also stated that Sharon was not able to complete at least a sentence . He was speaking bit by bit of a word. It was recorded in Ext.P105 statement that patient stopped to catch breath, cannot speak continuously because of the reason that he has to vomit then and also had breathlessness. **PW68 specifically deposed that Sharon has given statement that on 14.10.2022 his girl friend gave him kashayam and he drunk the kashayam. PW68 deposed, Sharon Raj has given statement that a glass full of kashayam was drunk by him.**

209. In the cross-examination PW68 submitted that she had complied all the formalities for recording the dying declaration. She had told Sharon that she was going to record dying declaration. She asked him to explain the incidents which lead to his hospitalization. It is pointed out by learned senior advocate for accused, as per the version of PW68 that she did not tell Sharon that what she was going to record was the circumstances which may be used for further proceedings, if it is needed. This is not

correct. **When PW68 asked Sharon whether he has got complaint against any person, he stated that he had vomiting, loose motion after having frooti and that tonic.** That is why PW68 asked the question to Sharon. However, he had no complaint against anybody.

210. He was speaking in small sentences, part by part and PW68 thought that Sharon might have left something to speak. So, she gave him an opportunity to speak further. Learned Senior Advocate submitted that the answers given by Sharon for the last few questions are clear indicative of the fact that Sharon does not want to implicate anyone. In fact, this was answered by PW68 herself. The same was not the scope of her enquiry. **Mere fact that a deceased who gave dying declaration to a Magistrate stated that he has no complaint against anyone does not mean that the culprit will be left free on the basis of this declaration. It is for the State to decide whether to prosecute the culprit and it is for the court to convict the guilty.**

211. In **Rattan Singh V. State of H.P (1997) 4 SCC 161** it is held as follows :- The collection of the words in Section 32(1) 'circumstances of the transaction which resulted in his death' is

apparently of wider amplitude than saying 'circumstances which caused his death'. There need not necessarily be a direct nexus between 'circumstances' and death. It is enough if the words spoken by the deceased have reference to any circumstance which has connection with any of the transactions which ended up in the death of the deceased. Such statement would also fall within the purview of Section 32(1) of the Evidence Act. In other words, it is not necessary that such circumstance should be proximate, for, even distant circumstances can also become admissible under the sub-section, provided it has nexus with the transaction which resulted in the death."

212. In the decision of the Hon'ble High Court of Kerala in **State of Kerala V. Ammini 1987 (1) KLT 928 and others**, the Kerala High Court has held regarding the proximity of time of making the declaration and the death and held as follows :- "In **Sharad Birdhichand Sarda v. State of Maharashtra (AIR 1984 S.C. 1622)**, where the majority of the Judges held that " the test of proximity cannot be too literally construed and practically reduced to a cut-and dried formula of universal application so as to be confined in a strait-jacket. Distance of time would depend or vary with the circumstances of each case. For instance, where death is a

logical culmination of a continuous drama long in process and is, as it were, a finale of the story, the statement regarding each step directly connected with the end of the drama would be admissible because the entire statement would have to be read as an organic whole and not torn from the context". The Supreme Court adopted the interpretation that the expression "any of the circumstances of the transaction which resulted in his death" is wider in scope than the expression "the cause of his death". In the light of the said decision of the Supreme Court, motive factor available in the statement of the deceased cannot be discarded as a remote circumstance, if it is otherwise intimately connected with the circumstances of the transaction which resulted in his death."

213. Sharon Raj had given his dying declaration 5 days before his death at Multi disciplinary ICU, Medical College Hospital, Thiruvananthapuram at 7.15 p.m. on 20.10.2022 is a relevant fact. In Ext.P105 Sharon Raj specifically declared that his girl friend had given him kashayam, frooti and that tonic on 14.10.2022 and he had drunk a glass full of kashayam tonic on that day is an important circumstance by which it is proved that Greeshma administered kashayam and frooti on 14.10.2022 . The cause of death of Sharon, as

stated by the Doctors is corroborated by the dying declaration of Sharon Raj and the fact that Sharon had vomiting and loose motion, after having the frooti and that tonic is a material circumstance leading to his medical condition. The dying declaration has corroborated the evidence of PW1 to PW3, PW10, PW92, Doctors, Experts, number of exhibits etc that Greeshma administered poison to Sharon on 14.10.2022. The evidence of PW68 would corroborate the confession of Greeshma that she had given him kashayam and the search history of paraquat web site 2 hours before the administration of that tonic or kashayam. With conjoint reading of the proved circumstance that Greeshma researched about paraquat and also the fact that she administered poison earlier on 22.08.2022, it is proved beyond doubt that Greeshma administered kashayam mixed with paraquat on 14.10.2022.

214. In this case, the death of Sharon is a logical culmination of a continuous drama, long in process, hence the statement regarding each step directly connected with the end of the drama would be admissible . In view of the dictum of the above referred decisions, it is clear that the

statement made by Sharon to his father and Magistrate regarding the fact that his girl friend had given him kashayam on 14.10.22 and Greeshma had mixed poison with kashayam are vital pieces of evidence which is admissible U/S 32 (1) of the Evidence Act, as it relates to the circumstance relating to his death. Thus, the circumstance relied by the prosecution is also held to be proved.

CONFESSION OF GREESHMA

215. Greeshma had attempted to commit suicide and was admitted at Medical College Hospital, Thiruvananthapuram. PW76 , Judicial First Class Magistrate II, Thiruvananthapuram proceeded to the Medical College MICU as per the direction of the CJM and recorded the statement of Greeshma. Greeshma was conscious and oriented. The same was certified by the attending Doctor at MICU, Dr. Anantha Vishnu. The statement was signed by Greeshma and learned Magistrate and marked as Ext.P118. The certification by Dr. Anantha Vishnu was marked as Ext.P118(a). PW76 deposed, Greeshma has given statement that she was in love with Sharon Raj for the last one year and that they had every relationship including sexual relationship . Greeshma had given statement to PW76 that

her uncle had purchased herbicide for agricultural purpose and the same was at her house. Greeshma had given statement to PW76 that she had called at 8 a.m. on 14.10.2022 from her mobile No. 8925888533 to the mobile No. of Sharon Raj, 9074171590 and had invited Sharon Raj to come to her house, when her mother and uncle were leaving home. Greeshma had stated to PW76 that she sent message to Sharon to come to her house at 10 a.m. on that day as her uncle and mother left home. She had stated to PW76 that she was taking kashayam for meghavatham and the same was told to Sharon. Greeshma had given statement to PW76 that she had boiled the kashayam in advance, mixed with the kashayam podi used by her mother. The learned Magistrate did not record the remaining things as Greeshma went on admitting guilt. PW76 identified A1 Greeshma in the dock specifically. In the cross-examination she had admitted that Ext.P118 is a dying declaration and meant for evidence U/S 32 of the Indian Evidence Act. The Police had filed a requisition to record statement of Greeshma to CJM on 30.10.2022 and the statement was recorded at 1.52 P.M. on 31.10.2022. Admittedly, Greeshma was in Police custody. PW76 had given evidence that all the legal formalities required U/S 164 Cr.P.C were complied, while recording the statement. However,

PW76 deposed that Ext.P118 is not a confession statement. Therefore, initially such warning was not given. But, subsequently, she was warned as she proceeded to confess the guilt . It was pointed out by learned Senior Advocate that the legal requirements before recording confession statement were not followed and that is why the recording of statement was stopped. The contention of accused is that no warning was given U/S 164(3). It is not a confession statement , approval statement or a witness statement. Learned Senior Advocate invited the attention of PW76 to page 4 of Ext.P118 in which Greeshma had stated to PW76 that firstly she took decision to commit suicide and when it was informed to Sharon, he told her to go and commit suicide. In page No. 8 Greeshma had given statement to PW76 that he drank the kashayam. So also, in page No. 3 Greeshma has stated that on the previous day at 10 a.m. the Police had summoned Greeshma, her mother, father, sister and uncle to the S.P. office for interrogation in connection with Sharon's death. Learned Senior Advocate invited attention of PW76 to page No. 6 of Ext.P118 in which it was recorded that Sharon pushed Greeshma down. From page No. 9 to 11 Greeshma had stated to Magistrate about the Police interrogation due to which she consumed the Lysol kept in the

bathroom of the Police Station. When it was put to PW76 that Greeshma was compelled to give statement due to pressure from the Police, PW76 denied the same and further stated that the statement was made voluntarily. Again it was put to PW76 that Greeshma has given statement that herbicide was added in the boiled kashayam due to pressure of the Police. PW76, denying the same stated that there was no pressure to Greeshma. It was contended by accused that Police threatened that her father and relatives will also be arrayed as accused, if the guilt is not admitted before Magistrate. PW76 denied the same. Greeshma had given statement to PW76 that the attempt was made due to the mental pressure. When it was put to PW76 that Greeshma was taken to Nedumangadu Police station and tortured , after keeping her in illegal custody, PW76 stated that Greeshma had not given such a statement. Again it was argued that Greeshma had to consume Lysol kept in the bath room as she was unable to manage the pressure from the side of Police to confess the guilt . PW76 had given evidence that Greeshma had not given such a statement to her. It is further argued that as there was no evidence, the attempt of the Police was to get a confession from Greeshma. A dying declaration can not be used if the person survives. The statement

can be used to corroborate or contradict the testimony of the person who made it when she is examined as a witness. But Greeshma being an accused has not mounted the box. It is recorded at a time when Greeshma was in Police surveillance in connection with this crime No. 1311/2022 of Parassala Police Station. She attempted to commit suicide while she was taken in to custody for interrogation and while in the Police surveillance in connection with this crime of Parassala P.S. According to me, even if the statement given by Greeshma to Magistrate is not a dying declaration, it is relevant fact under sections 6,7 and 14 of Indian Evidence Act. These sections are as follows:

Section 6. Relevancy of facts forming part of same transaction. Facts which, though not in issue, are so connected with a fact in issue as to form part of the same transaction, are relevant whether they occurred at the same time and place or at different times and places.

Illustrations (a) A is accused of the murder of B by beating him. Whatever was said or done by A or B or the by-standers at the beating, or so shortly before or after it as to form part of the transaction, is a relevant fact.

Section 7. Facts which are the occasion, cause or effect of facts in issue.

Facts which are the occasion, cause or effect, immediate or otherwise, of relevant facts, or facts in issue, or which constitute the state of things under which they happened, or which afforded an opportunity for their occurrence or transaction, are relevant.

Section 14. Facts showing existence of state of mind, or of body or bodily feeling.

Facts showing the existence of any state of mind, such as intention, knowledge, good faith, negligence, rashness, ill-will or good-will towards any particular person, or showing the existence of any state of body or bodily feeling, are relevant, when the existence of any such state of mind or body or bodily feeling is in issue or relevant.

Explanation 1. - A fact relevant as showing the existence of a relevant state of mind must show that the state of mind exists, not generally, but in reference to the particular matter in question.

Explanation 2. - But where, upon the trial of a person accused of an offence the previous commission by the accused of an offence is relevant within the meaning of this section, the previous conviction of such person shall also be relevant fact.

Illustration (c); A is tried for the murder of B by poison. The fact that, before the death of B, A procured poison similar to that which was administered to B, is relevant.

Illustration; (P) A is tried for a crime. The fact that he said something indicating an intention to commit that particular crime, is relevant. The fact that he said something indicating a general disposition to commit crimes of that class, is irrelevant.

216. Moreover, under Section 80 Of Indian Evidence Act, the statement of Greeshma recorded by Magistrate is a record or confession of accused person, taken in accordance with law, and purporting to be signed Magistrate, and the Court shall presume that the document is genuine; that any statement as to the circumstances under which it was taken, purporting to be made by the person signing it, are true, and that such evidence, statement or confession was duly taken. Section 80 is as follows: **“80. Presumption as to documents produced as record of evidence.** Whenever any document is produced before any Court purporting to be a record or memorandum of the evidence, or of any part of the evidence, given by a witness in a judicial proceeding or before any officer authorized by law to take such evidence, or to be a statement or confession by any prisoner or accused person, taken in accordance with law, and purporting to be signed by any Judge or Magistrate, or by any such officer as aforesaid, the Court shall presume - that the document is genuine; that any statement

as to the circumstances under which it was taken, purporting to be made by the person signing it, are true, and that such evidence, statement or confession was duly taken.”

217. I may further add that if at all the statutory requirements are not complied for recording the confession statement of accused, it is to be regarded as extra judicial confession and to be read along with section 164 CrPC and section 80 of the evidence Act. It is admissible in evidence because the confession of A1 has sterling quality and each and every sentence are supported by cogent evidence from the side of prosecution and complemented by expert opinions, digital and electronic evidence . Moreover the admission by Greeshma in Ext.P103(a) voice clip that she gave kashayam to Sharon in a glass at her , Sharon vomited at her house in green, it was a kashayam purchased from a medical store, she destroyed the sticker of the kashayam bottle, refused to disclose the nature of kashayam , at least the cap of the bottle was not given when asked about it by PW1, her disclosure that there is no label for the medicine, that she does not know the name of the Doctor who prescribed the medicine and then saying that there is no prescription at all etc. are relevant facts. Ext.P229(a25) is an admission by Greeshma that she administered kashayam to Sharon

and she wanted to convince Sharon that even if he had vomited, he need not to bother about it, saying that she also vomited. She realized the mistake and said sorry to Sharon at 11.38 a.m. as proved by Ext.P229(a26) and further admitted that she did not expect this much as shown in Ext.P229(a27). Ext.P229(a26) and Ext.P229(a27) are two of the several admissions by Greeshma to the effect that she has given kashayam to Sharon and she said sorry because it was mixed with poison. There are admissions in the whatsapp chats from the mobile of Greeshma to Sharon to the effect that medical condition of Sharon was due to the overt act of Greeshma at around 10.30 a.m. on 14.10.2022 at her house by giving him kashayam and juice.

218. Therefore, it is admitted by Greeshma to Judicial First Class Magistrate No. II, Thiruvananthapuram that she was in love with Sharon for the last one year and that they had every relationship including sexual contacts. It is admitted in Ext.P118, statement given to Magistrate that A3, uncle of Greeshma had purchased herbicide and kept in her house which was meant for agricultural purpose, and it was accessible to Greeshma and she was in possession of poison. It is admitted by Greeshma to learned Magistrate

that Greeshma had invited Sharon at 8 a.m. on 14.10.2022 from her mobile phone No 8925888533 to the mobile phone No. 9074171590 of Sharon and had enticed him to come to her house when her uncle and mother went out of her house. Greeshma has admitted that she sent message to Sharon at 10 a.m. that her mother and uncle left the house so that Sharon can come to her house . Greeshma specifically admitted that she was taking kashayam for meghavatham and she had discussed with Sharon about the kashayam. It is clearly admitted by Greeshma in the statement that she had boiled the kashayam with the kashayam powder used by her mother and mixed kapiq herbicide in the kashayam and the concoction was given to Sharon to drink and he drank the poison.

FORENSIC EVIDENCE-PHYSICS

219. The Scientific Officer (Physics) at Forensic Science Laboratory, Thiruvananthapuram , PW77, received 9 sealed packets as per letter No. L 61/22 dated 17.01.2023 on 18.1.2023 . He also received 5 sealed packets as per letter No. LD 75/23 dated 21.1.2023. On 21.1.2023 he received one CDR as per letter No.L 25/23 dated 10.1.2023 from Cyber Division on 24.4.2023. He

received one pendrive as per letter No. L7/23 dated 6.7.2023 on 10.05.2023 from Cyber Division. The sealed packets received as per reference No. 1 was labelled as item Nos. 1 to 9. He examined the items in the laboratory using scientific aids and submitted Ext.P119 report bearing his signature and office seal. Examination report is as follows: Examination Report/Opinion is as follows:

1	Report Number : PHY-16/2023/B1-534/FSL/2023	Dated:12.06.2023
2	Number of pages of Report : Eleven(11)	
3	Crime No. & Police Station: 1311/2022 of Parassala P.S.	District : Thiruvananthapuram Rural.
	U/S: 364, 328,302, 201, & 34 IPC	
4	Forwarding Authority : Judicial I Class Magistrate-II, Neyyattinkara.	
	Reference 1. Letter No. L61/22 dated 17.01.2023 PHY-16/23/B1- 534/FSL/2023) 2. Letter No. LD 75/23 dated 21.01.2023 (PHY-21/23/B1- 686/FSL/2023. 3. Letter No. L 25/23 dated 10.01.2023 (PHY-104/23/B2- 419/FSL/2023. 4. Letter No. L 7/23 dated 06.01.2023 (PHY-122/23/B2- 193/FSL/2023.	
5	Office Reference: B1-534/FSL/2023,B1-686/FSL/2023, B2-419/FSL/2023, B2-193/FSL/2023.	
6	Mode of Receipt: (1) & (2) Through messenger – Shri. Albin, CPO 6566 of Crime Branch, TVPM Rural. (3) & (4) Internal Forwarding – Smt. Deepa A.S, Assistant Director (Documents), SFSL, TVPM.	
7	Date of Receipt: 18.01.2023 21.01.2023 24.04.2023 and 10.05.2023 respectively.	
8	Total Number of packets received in the Division: (1) Nine (9) sealed packets (2) Five (5) sealed packets (3) One CD-R	

	and (4) One (1) pen drive respectively.	
9	Condition of the seals:	Seals on the sealed packets were intact and tallied with the specimen seal impression.
10	Purpose of reference:	For Physical, Audio Examinations & Report.
11	Time period of Examination:	09.03.2023 to 12.06.2023 (Intermittently)
12	<p>Details of the Exhibits received in the Division: The sealed brown paper packets in PHY-16/23/B1-534/FSL/2023 were labelled as per the copy given below;</p> <p>"Item No.1 T.No.426 Bottle Parassala P.S Crime 1311/22"</p> <p>"PARASSALA PS Crime 1311/2022 ITEM No.2 T.No.430/2022 Kapiq Herbicide Label-1 II</p> <p>"സ്ത്രീൽ പാത്രം Item No.3 T.No.429. Parassala P.S Crime No.1311/22"</p> <p>"Parassala P.S. Crime 1311/22 Item No.4. T.No.429/22 സ്ത്രീൽ ഗ്ലാസ് .</p> <p>"PARASSALA PS PARACETAMOL Crime 1311/2022 ITEM No.5 3 strip 5 T.No.430/2022"</p> <p>"PARASSALA PS T.No.430 Crime 1311/2022 ITEM No.6 DOLO 650 MG 11 ഗുളിക അടങ്ങിയ strips"</p> <p>"RECORDED VOICE SAMPLE OF MS.GREESHMA IN CRIME NUMBER 1311/2022 u/s 302, 201 & 34 IPC OF PARASSALA POLICE STATION RECORDED ON 10/11/2022 Item No.7 Form -15 1 "</p> <p>"RECORDED VOICE SAMPLE OF MS.GREESHMA IN CRIME NUMBER 1311/2022 u/s 302, 201 & 34 IPC OF PARASSALA POLICE STATION RECORDED ON 10/11/2022 Item No.8 Form -15 2 "</p> <p>"RECORDED VOICE SAMPLE OF MS.GREESHMA IN CASE NUMBER</p>	

	<p>1311/2022 u/s 302, 201 & 34 IPC OF PARASSALA POLICE STATION RECORDED ON 10/11/2022 Item No.9 Form -15 3 ”</p> <p>The sealed brown paper packets in PHY-21/23/B1-686/FSL/2023 were labelled as per the copy given below:</p> <ol style="list-style-type: none"> 1. “PARASSALA PS Crime 1311/2022 Item No.1 CD.1 Form - 15 Recorded voice sample of Mr. Shimon Raj on Dated 18/01/2023.” 2. “PARASSALA PS Crime 1311/2022 Item No.2 CD.2 Form - 15 Recorded voice sample of Mr. Shimon Raj on Dated 18/01/2023.” 3. “PARASSALA PS Crime 1311/2022 Item No.3 CD.3 Form - 15 Recorded voice sample of Mr. Shimon Raj on Date 18/01/2023.” 4. “PARASSALA PS Crime 1311/2022 Item No.4 A1 Form - 15 CD containing specimen voice sample of Smt. Greeshma.” 5. Parassala PS Crime No.1311/22 Item No.8 Form - 15”
	<p>The CD-R in PHY-104/23/B2-419/FSL/2023 was labelled as per the copy given below;</p> <p>“Soft copy of Annexure – 2 B2-419/23 Sd/-”</p> <p>The pen drive pouch in PHY-122/23/B2-193/FSL/2023 was labelled as per the copy given below;</p> <p>“Item No.12”.</p> <p>The sealed packets in PHY-16/23/b1-534/FSL/2023 were labelled as item no.1 to item no.9, the sealed packets in PHY-21/23/B1-686/FSL/2023 were labelled as item no.10 to item no.14, the CD-R in PHY-104/23/B2-419/FSL/2023 was labelled as item no.15 and the pen drive in PHY-122/23/B2-193/FSL/2023 was labelled as item no.16 in the laboratory for examination.</p>
<p>Item No.1:</p>	<p>Inside the sealed packet, another sealed brown paper packet was found. It was found bearing label (on a</p>

	<p>white paper), “RT 7337/2022 Item No.1 G.No.1311/2022 T.426/22 Parassala PS”</p> <p>Inside the sealed packet, another unsealed paper packet was found. It was found bearing label, “PARASSALA PS Cr: 1311/2022 T.No.426/22 Item No.1 വെള്ളനിറത്തിൽ പച്ച നിറത്തിലുള്ള തിരുക്ക് അടപ്പോടു കൂടിയ പ്ലാസ്റ്റിക് ബോട്ടിൽ 1 എണ്ണം ”</p> <p>Inside the unsealed packet, an empty plastic bottle was found. The bottle was a white coloured one with light green coloured lid. A white coloured inner lid was also found. Dirt was found over the bottle. Embossed writing “BLOOM 5” was found on bottom of the bottle and “BL-8 on the inner lid. The bottle was having a height (in closed condition) of about 20.2 cm and outer circumference at the middle portion was about 22 cm.</p>
<p>Item No.2</p>	<p>Inside the sealed packet, another unsealed brown paper packet was found. It was found bearing label, “Label Cover”.</p> <p>Inside the unsealed packet, a plastic sheet was found. It was having a white background with black, green, yellow, grey and red coloured features. Its top edge and some portion of the bottom edge were transparent. It was found bearing writings,</p> <p>“Kapiq Herbicide PARAQUAT DICHLORDE 24% SLPOISON Manufactured by:KRISHI RASAYAN 29, LALA LAJPAT RAI SARANI KOLKATA-700020. Net Content 500ml Reg.No.CIR-158049/2019-Paraquat Dichloride Batch No.KRR 3146</p>

	<p>Mfg. Date : 12/21 Expiry Date : 11/23 For Agricultural Use Only"</p> <p>The plastic sheet was having a maximum length of about 21.4 cm and maximum width of about 16.1 cm.</p>
<p>Item No.3</p>	<p>Inside the sealed packet, another sealed brown paper packet was found. A pink paper was found pasted over the packet. It was found bearing label,</p> <p>Item No.2 CHEMICAL EXAMINER'S LABORATORY THIRUVANANTHAPURAM/KOZHICODE/ ERNAKULAM Date : Material object in Crime No.1311/22 of Parassala P.S. T.429/22 Certissficate No. Receipt No.7337/22/TVM.</p> <p>To</p> <p>The Judicial First Class Magistrate - II, Neyyattinkara</p> <p>One sealed packet"</p> <p>In side the sealed packet, another unsealed brown paper packet was found. It was found bearing label, "MO'S No.7 Parassala P.S. Crime 1311/2022 T.No.429 Item No.2</p> <p>കഷായം കലക്കിയ പാത്രം ".</p> <p>Inside the unsealed packet, a stainless steel vessel (with no lid) with circular cross section was found. It was having a height of about 7.75 cm and diameter (inner) of the open end was about 15 cm. A metallic part (for fixing handle)" projecting outwards, of length about 3.38 cm and width about 1.65 cm was found fixed towards open end of the vessel. A brownish appearance was</p>

		observed on the outer lateral surface of the vessel.
	Item No.4:	<p>Inside the sealed packet, another sealed paper packet was found. A pink paper was found pasted over the packet. It was found bearing label,</p> <p style="text-align: center;">“ Item No.3 CHEMICAL EXAMINER’S LABORATORY THIRUVANANTHAPURAM/ KOZHIKODE/ ERNAKULAM Date: Material object in Crime No.1311/22 of Parassala P.S, Certificate NO. Receipt No.7337/22/TVM.</p> <p>To</p> <p style="text-align: center;">The Judicial First Class Magistrate-II, Neyyattinkara One sealed packet”</p> <p>Inside the sealed packet, another unsealed brown paper packet was found. It was found bearing label,</p> <p style="text-align: center;">“Parassala P.S MO’S No.8 Crime -1311/2022 T.No.429 Item No.3. കഷായം കൊടുത്ത ഗ്ലാസ് ”</p> <p>Inside the unsealed packet, a stainless steel tumbler was found. It was having a height of about 10.65 cm, base diameter of about 4.62 cm and diameter of the open end was about 6.32 cm. Scratches were found on the inner and outer surface of the tumbler.</p>
	Item No.5	<p>Inside the sealed packet, three (3) strips of tablets were found. Each strip contained ten (10) nos. of circular shaped tablets. Front side of the strips were blue coloured and the rear side was silver coloured. The</p>

		<p>rear side of the strips were found bearing label, “TAMILNADU GOVERNMENT SUPPLY – NOT FOR SALE Paracetamol Tablets IP 500 mg Mfg. Lic. No.25/7/89 Each uncoated tablet contains Paracetamol IP 500mg CIPCO PHARMACEUTICALS (An ISO & GMP Certified Company) 35-36/1, AB Road, Gram Pigdambar Dist. Indore 453331 (MP) India, B No.PC 220103 MFG. JAN.22 EXP.DEC.23.....”</p>
	Item No.6	<p>Inside the sealed packet, a strip of tablets was found. The strip contained eleven (11) Nos. of oval shaped tablets. Inscription “DOLO 650” was found over the tablets. Three(3) slots for the tablet on the strip were found vacant. Front side of the strip was blue coloured (bearing label “Dolo 650”) and the rear side was silver coloured. The rear side of the strip was found bearing label, “Dolo-650 Paracetamol Tablets IP Each uncoated tablet contains Paracetamol IP 650mg..... MICRO LABS LIMITED Mamring, Namthang Road, South Sikkim – 737132 Mfg. Lic. No. : M/600/2012 B.No. DOBS2176 MFG. DEC.2020 EXP. NOV.2024 FOR ESI SUPPLY ONLY.....”</p>
	Item No.7	<p>Inside the sealed packet, a CD-R of “WRITEX” make was found. It was found bearing label, “GRESHMA</p>

		CD-1”
	Item No.8	Inside the sealed packet, a CD-R of “WRITEX” make was found. It was found bearing label, “GREESHMA CD-2”
	Item No.9	Inside the sealed packet, a CD-R of “WRITEX” make was found. It was found bearing label, “GREESHMA CD-3”
	Item No.10	Inside the sealed packet, another sealed paper packet was found. It was found bearing label, “Recorded Voice Sample of Mr. Shimon Raj in Case Number 1311/2022 of Parassala Police Station. Recorded on 18/01/2023 CD-1”. Inside the sealed packet, a CD-R of “WRITEX” make was found. It was found bearing label, “SHIMONRAJ CD-1 5 cuts”.
	Item No.11	Inside the sealed packet, another sealed paper packet was found. It was found bearing label, “Recorded Voice Sample of Mr. Shimon Raj in Case Number 1311/2022 of Parassala Police Station. Recorded on 18/01/2023 CD-2” Inside the sealed packet, a CD-R of “WRITEX” make was found. It was found bearing label, “SHIMONRAJ CD-2 5 cuts”
	Item No.12	Inside the sealed packet, another sealed paper packet was found. It was found bearing label, “Recorded Voice Sample of Mr. Shimon Raj in Case Number 1311/2022 of Parassala Police Station. Recorded on 18/01/2023 CD-3” Inside the sealed packet, a CD-R of “Verbatim” make was found. It was found bearing label, “SHIMONRAJ

		CD-3 5 cuts”
	Item No.13	<p>Inside the sealed packet, aother sealed paper packet was found. It was found bearing label. <u>“B1-387/FSL/2023</u> CR.No.1311/2022 PS: Parassala P.S. CD containing specimen voice samples of Smt. Greeshma Sd/- Vineeth. V, S.O(P), FSL, TVPM”</p> <p>Inside the sealed packet, a CD=R of “WRITEX” make was found. It was found bearing label, <u>“B1-387/FSL/2023</u> SPECIMEN VOICE SAMPLE of Smt. GREESHMA CR.No. 1311/2022 of PARASSALA P.S.”</p>
	Item No.14	<p>Inside the sealed packet, a white sheet of paper was found. It was found bearing writings, “SAMPLE SEAL IMPRESSION Crime Number : 1311/22 Poice Station : Parassala. P.S.</p> <p>Sd/- 12/01/2023 VINEETH. V (PEN No.: 768815) Scientific Officer (Physics) State Forensic Science Laboratory Department of Police Thiruvananthapuram 695010”</p> <p>The paper contained impression “FSL TVPM PHYSICS” in ink and wax.</p>
	Item No.15	The CD-R was of “Professional Frontech” make.
	Item No.16	The pen drive was a black coloured one of “Kingston” make, of 32 GB capacity.
13	<p>Methods and procedures adopted:</p> <p>The material objects involved in this case were examined in the laboratory using scientific aids.</p> <p>On detailed examination, the circumference of the bottle</p>	

contained in item no.1 matches with the length of the plastic sheet contained in item no.2. Hence, the plastic sheet contained in item no.2 can be wrapped around the bottle contained in item no.1. On examination of the writings found on the plastic sheet contained in item no. 2, it was found as the label of a herbicide-Kapiq with chemical name Paraquat Dichloride 24% SL, manufactured by Krishi Rasayan 29, Kolkata with Batch No:KRR 3146, manufactured on December 2021 with expiry date on November 2023. On examination, signs of heating were observed on the stainless steel vessel contained in item no.3. Signs of wear and tear can be observed on the stainless steel tumbler contained in item no.4, on visual and microscopic examination. On examination of the label found on the rear side of the strips contained in item no.5, the tablets were Paracetamol IP of 500 mg composition; manufactured by Cipco pharmaceuticals (Manufacturing Licence. No.25/7/89), Indore, with batch number – PC 220103 manufactured on January 2022 with expiry date on December 2023, for Tamil Nadu Government supply. On examination of the label found on the rear side of the strip contained in item no.6, the tablets were Dolo-650 (composition- Paracetamol IP 650mg), manufactured by Micro Labs Limited (Manufacturing Licence No. : M/600/2012), South Sikkim, with batch number – DOBS2176, manufactured on December 2020 with expiry date on November 2024, for ESI supply only.

The CDs involved in this case were examined under incident, reflected and oblique lights to detect any signs of physical damages like scratch or crack marks or other extraneous damages. On examination no such damages could be detected.

While opening the CD-R in Item no.15, it contained two audio files named 1, “Call recording Greeshma _221022_130412” and 2) “Call recording Greeshma _221022_132537” in the file folder “Call

recordings from Q1M". Also, two audio files named 3) "Call recording Greeshma Chechi _221022_130412" and 4) " Call recording Greeshma Chechi_221022_132537" were found in the file folder "Call recordings from Q2". All the four audio files were in M4A format. The questioned audio files named "Call recordings Greeshma_221022_130412" and "Call recording Greeshma Chechi_221022_130412" was each of duration 8 min 48s. Also, content of the conversation was same in both the files. Similarly, the questioned audio files named "Call recording Greeshma _221022_132537" and "Call recording Greeshma Chechi_221022_132537" was each of duration 1 min 6s, with the same content of conversation. The questioned audio file "Call recording Greeshma _221022_130412" was labelled as Q1 and the questioned audio file "Call recording Greeshma _221022_132537" was labelled as Q2 in the laboratory for examination. The questioned audio file Q1 contained a conversation between a male and a female person. In the conversation, clear audible utterance of a male person starting with "..... ആ ഹലോഅല്ല പുത്തൻകട ഫാർമസി എന്നതല്ലേ " was labelled as Q1(a) (in the laboratory for examination) and clear audible utterance of a female person starting with " ഞാൻ വേണമെങ്കിൽ ഒന്നും കൂടെ വിളിച്ചു കൺഫോം ചെയ്യാം" was labelled as Q1(b) (in the laboratory for examination). Both Q1(a) and A1(b) were segregated from the questioned audio file Q1. The questioned audio files Q2 also contained a conversation between a male and a female person. In the conversation, clear audible utterance of a male person starting with "..... ആ ഹലോ ആ പറഞ്ഞാ അത് ഏതു ഷോപ്പാണെന്ന്" was labelled as Q2(a) (in the laboratory for examination and clear audible utterance of a female person starting with "ഹലോ ആ ചേട്ടാ ഇപ്രാവശ്യം

അവളു് കഷായം അവിടുന്ന്” was labelled as Q2(b) (in the laboratory for examination.) Both Q2(a) and Q2(b) were segregated from the questioned audio file Q2.

While opening the pen drive contained in Item No.16, it contained an audio file named “PTT -20221014-WA0006” in OPUS format and its WAV converted format with the name “PTT-20221014-WA0006.opus_Converted”. Both the files were found in the file folder “Audio” and each was of duration 12s. The questioned audio files contained the voice of a female person. In the questioned audio file “PTT-20221014-WA0006”, clear audible utterance of a female person starting with “എനിക്കും ഈ ജൂസിൽ എന്തോ ഡൗട്ട്” was present. The questioned audio file “PTT-20221014-WA0006” was labelled as Q3 (in the laboratory for examination). In the pen drive,, eight (8) nos. of Video files in MP4 format were found in the file folder “Video”. The files were named as VID-20211103-154948 (duration-5s), VID-20221029-WA0004 (duration-9s), VID20211221160829 (duration-22s), VID20211231083027 (duration-7s), VID20220621111944 (duration 43s), VID20220621114420 (duration-10s), VID20220621123411 (duration-14s) and VID20220822120014(duration-11s). But the speech amounts in these mp4 files were not sufficient for analysis.

While opening the CD-R’s (audio CD’s) in item no.7, item no.8 and item no.9, it contained five (5) audio files. The audio files in item no.7, item no.8 and item no.9 were identical and named.

1) 01 Track 1 2) 02 Track 2 3) 03 Track 3 4) 04 Track 4
and 5) 05 Track 5.

The above five specimen voice samples were in WAV format and were respectively marked as S1 to S5 in the laboratory for examination.

While opening the CD-R's (audio CD's) in item no.10, item no.11 and item no.12, it contained five (5) audio files. The audio files in item no.10, item no.11 and item no.12 were identical and named,
1) 01 Track 1 2) 02 Track 2 3) 03 Track 3 4) 04 Track 4
and 5) 05 Track 5.

The above five specimen voice samples were in WMA format and were respectively marked as S6 to S10 in the laboratory for examination.

While opening the CD-R in item no.13, it contained ten(10) audio files named

1) specimen a1, 2) specimen a2, 3) specimen a3, 4) specimen a4, 5) specimen a5, 6) specimen b1, 7) specimen b2, 8) specimen b3, 9) specimen b4 and 10) specimen b5

The above ten specimen voice samples were in WAV format and were respectively marked as S11 to S20 in the laboratory for examination.

The specimen voice samples S1 to S5 and S11 to S20 were that of a female person and the specimen voice samples S6 to S10 were that of a male person.

The auditory features in the utterances of the speakers in the questioned voices Q1 (a), Q19b), Q2(a) and Q2(b) were observed from the segregated voices. Similar process was adopted for the questioned voice Q3. The consolidated effects of the prominent auditory features of the questioned speakers were also noted. Similar process was adopted for the auditory analysis of the specimen voice samples S1 to S20

The amount of similar clue words in the questioned voice Q3 and that in the specimen voice samples S1 to S5 were not sufficient for analysis and hence comparison of Q3 with S1 to S5 was not possible.

Emphasis is given to the clearly audible words contained in the specimen voice samples, which is common with the questioned

voice samples and those were segregated from the utterance for analysis of spectrographic features of the speaker.

The linguistic, acoustic and spectrographic features of the questioned voice samples contained in item No.15 and item no.16 and that of the specimen voice samples contained in item no.7, item no.10 and item no.13 were analyzed using the manual and automatic Speaker Identification System.

14. RESULTS OF EXAMINATION/OPINION:

1. The plastic sheet contained in item no.2 can be used as the label covering of the bottle contained in item no.1
2. The plastic sheet contained in item no.2 is the label of a herbicide-Kapiq with chemical name Paraquat Dichloride 24% SL, manufactured by Krishi Rasayan 29, Kolkata with Batch No:K RR 3146, on December 2021 with expiry date of November 2023.
3. The stainless steel vessel contained in item no.3 and the stainless steel tumbler contained in item no.4 are used ones.
4. From examination of the label found on the strips, the tablets contained in item no.5 are Paracetamol IP of 500mg composition, manufactured by Cipco Pharmaceuticals (Manufacturing Licence. No.25/7/89), Indore, with Batch number-PC 220103, on January 2022 with expiry date of December 2023, for Tamilnadu Government supply.
5. From examination of the label found on the strip, the tablets contained in item no.6 are Dolo-650 (composition-Paracetamol IP 650mg), manufactured by Micro Labs Limited (Manufacturing Licence No. :M/600/2012), South Sikkim, with batch number -

DOBS2176, on December 2020 with expiry date of November 2024, for ESI supply only.

6. The amount of similar clue words in the questioned audio file 'Q3' ("PTT-20221014-WA0006") contained in item no.16 and that in the specimen voice Samples 'S1 to S5' (Greeshma) contained in item no.7 are not sufficient for analysis. Hence it is not possible to compare 'Q3' with 'S1 to S5'. The quantity of speech in the mp4 files (video files) contained in item no.16 is not sufficient for analysis and hence comparison with the specimen voice samples 'S1 to S5'; (Greeshma) contained in item no.7 is not possible.
7. Voice of the speaker marked as 'Q1(a)' which is segregated from the audio file "Call recording Greeshma_221022_130412" contained in item no.15 and specimen voice samples marked as 'S6 to S10' (Shimon Raj) contained in item no.10 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice sample of the speaker marked as 'Q1(a)' is the most probable voice of the specimen voice samples marked as 'S6 to S10' (Shimon Raj). Similarly voice of speaker marked as Q2(a)' which is segregated from the audio file "Call recording Greeshma_221022_132537" contained in item no.15 and specimen voice samples marked as 'S6 to S10' (Shimon Raj) contained in item no.10 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice sample of the speaker marked as Q2(a) is the most probable voice of the specimen voice samples marked as 'S6 to S10' (Shimon Raj).
8. Voice of the speaker marked as 'Q1(b)' which is segregated from the audio file "Call Recording Greeshma_221022_130412" contained in item no.15 and specimen voice samples marked as

'S11 to S15'(Greeshma) contained in item No.13 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice sample of the speaker marked as 'Q1(b)' is the most probable voice of the specimen voice samples marked as 'S11 to S15' (Greeshma). Similarly, voice of the speaker marked as 'Q2(b)' which is segregated from the audio file "Call recording Greeshma _221022_132537" contained in item no.15 and specimen voice samples marked as 'S16 to S20'(Greeshma) contained in item no.13 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice sample of the speaker marked as 'Q2(b)' is the most probable voice of the specimen voice samples marked as 'S16 to S20' (Greeshma).

9. Voice of the speaker in the audio file marked as "Q3" (PTT-2022104-WA0006) contained in item no.16 and specimen voice samples marked as 'S16 to S20' (Greeshma) contained in item No.13 is similar in their acoustic cues and other linguistic and spectrographic features.. Hence it is opined that the voice sample of the speaker marked as 'Q3' is the probable voice of the specimen voice samples marked as 'S16 to S20' (Greeshma).

220. PW77 identified M.O. 26 label which is shown as item No. 2 in Ext.P119. M.O.6 is also identified by PW77. He deposed that M.O.26 is the cover / label of M.O.6 bottle. He further deposed that M.O. 26 is the label of paraquat dichloride, 24%. He identified specifically M.O.6 and M.O.26 in the witness box. M.O. 12 bowl/vessel and M.O.13 steel tumbler were identified as item Nos. 3

and 4 respectively by PW77. So also, M.O.21 series paracetamol tablets were identified as item No. 5 and M.O.22 Dolo 650 was identified as item No. 6 . PW77 identified M.O. 42 series as items 7, 8 and 9 in his report which are voice samples of Greeshma received from All Indian Radio. He identified the seal of FSL division on the packet. He deposed that all the 3 series are of the same sample voice which are marked on the packet as Greeshma CD 1, Greeshma CD 2, Greeshma CD 3 and the same were marked as M.O.42(a1), M.O.42(a2) and M.O.42(a3) respectively.

221. The CDs were examined by PW77 in his division. He deposed that he received the specimen voice samples of Greeshma for examination and mentioned in the report. CD1(MO42(a1)) was played in the open court. The witness, after having heard the voice recorded in 'track 01' in the CD deposed that this is the specimen voice samples of Greeshma recorded at All India Radio. The witness has specifically identified the voice as that of Greeshma which he has already examined and identified as Greeshma's voice in the laboratory. Items 8 and 9 are the same voice clips and identical copies. Learned Special Public Prosecutor submitted that 3 CDs were produced for abundant caution. PW77 identified M.O.45 series, three CDs which were identified by him as item Nos. 10, 11

and 12 in the FSL report. He identified the seal of FSL on the packets indicating that it underwent FSL examination. The three CDs were marked as M.O. 45(a1), M.O.45(a2) and M.O.45(a3) respectively. The same were also received from All India Radio containing the specimen voice sample of Shimon Raj, PW1. M.O.45(a) CD was played in the open court. After having heard the voice in 'Track 1' PW77 deposed that this is the voice of Shimon Raj and the same are mentioned as S6 to S10 in his report. He compared this specimen voice sample of Shimon Raj with Q1(a) and Q2(a) of item No. 15 and the voice was matching, PW77 deposed. M.O.45(a2) and M.O. 45(a3), CDs 2 and 3 are having identical voices. Item No. 13 in Ext.P 119 is the specimen voice samples of Greeshma which was recorded by PW77 himself and thereafter it was examined in the FSL. PW77 identified the seal of FSL on the packet containing the seal. The packet was marked as M.O46. The CD containing the voice sample of Greeshma was marked as M.O. 46(a). He identified the same as item No. 13 in Ext.P119. S11 to S20 are voice samples of Greeshma recorded by PW77 at the FSL laboratory. The CD was marked as M.O. 46(b). He deposed that the voice of Greeshma was recorded by him using HP computer at Divisional Unit of FSL. He issued S.65B certificate also, stating that

the said computer was under his control and possession. The certificate was marked as Ext.P120.

222. M.O. 46 (b) was played in the open court. After having heard the voice PW77 deposed that **the specimen voice sample contained in M.O. 46(b), Q1(b) is matching with S.11 to S15. So also , Q2(b) is matching with S.16 to S.20.** The specimen seal impression was identified by PW77 which is shown as item No. 14 in Ext.P119. He identified the seal of the division office of the FSL and the specimen seal impression was marked as Ext.P121. Item No. 16 in the FSL report is a packet containing pendrive. He identified the Kingston 32 GB pendrive, black in colour and marked as M.O. 47. The same was examined by PW77 to compare the voice samples with S11 to S20 . After comparing the voices PW77 deposed that the Q3 audio files are matching with the voice samples of Greeshma , S 16 to S. 20. After having played M.O. 47 and identifying the voice PW77 deposed that this is the voice of Greeshma and the voice, S 16 to S.20 are matching the voice samples. Item No.15 in the report is the CD internally received from the Cyber Division. Q1 , Q2 audio files are contained in the CD. Ext.P103 - CD was played in the open court and after having identified the voice PW 77 report that the audio file by name, "call

recording Greeshma Chechi 221022 - 130412” is verified with the voices of Greeshma (Q1(b)) and Shimon Raj(Q1(a)) He further deposed that the voices are matching . He specifically stated that **the Q1(a), the voice of Shimon Raj is matching with the voice in Ext.P103(a) and Q1(b) , voice of Greeshma is matching with the voice in the CD.**

223. The file by name, “Call Recording Greeshma Chechi-221022-132537” was played in the open court and after having heard the voice in Ext.P103(b), PW77 deposed that Q2(a) and Q2(b) in his report were found to be matching after comparing the specimen. **S6 to S10 are matching with Q1(a) and Q2(a) and Q1(b) is matching with S11 to S15.** In this voice the sentence is starting as , “ ഞാൻ വേണമെങ്കിൽ...”. **The Q2(b) is matching with S16 to S20 in which Greeshma’s voice was identified** starting with sentence as , “ഹലോ ചേട്ടാ, ഇപ്പോൾ ഞാൻ അവിടെ.” . PW 77 was not cross-examined by accused except the question that the volume in M.O. 26 is 500 ml. **Therefore, the evidence of PW77 would corroborate the evidence of PWs 1 to 3 who identified the voice of Greeshma and Shimon Raj before Court when the CD containing their voices were played in the open court. There is no dispute to the fact that the**

voices are that of Greeshma and Shimon Raj. It is proved specifically after FSL examination that M.O. 26 label is the cover of M.O.6 paraquat bottle. The M.O.6 bottle was recovered from the bushes adjacent to a pond near Ramavarmanchira whereas M.O. 26 label was recovered from the residential house of accused. It proves that M.O. 6 was thrown to destroy the evidence or to cause disappearance of evidence. M.O. 26 label squarely matches with M.O. 6 bottle which was proved after FSL examination. It is proved in the FSL examination that M.O. 26 is the label of paraquat dichloride 24%.

224. PW78 , Grade A.S.I., Crime Branch, Thiruvananthapuram Rural attested Ext.P122 mahazar prepared at 2 p.m. on 12.01.2023 at Crime Branch office by the investigating officer of this crime after seeing the sealed packet containing the CD in which the voice samples of Greeshma, its specimen seal impression and Section 65B certificate produced by CPO 3026 from FSL to Investigating Officer. The CD packet was identified by PW78 and marked as M.O. 46. The envelope was marked as Ext.P123. PW78 is also an attester to Ext.P124 prepared at 12.30 p.m. on 18.01.2023 at Crime Branch Office by the Investigating Officer after seeing the

production of 3 sealed packets of CDs containing the voice samples recorded at All India Radio, Thiruvananthapuram. The CDs were identified by PW78 and marked as M.O.45 series. PW78 has information about the content of the CDs, as told by the investigating officer.

225. PW79 is an attester to Ext.P125. PW79 also accompanied Greeshma to Thycaud Women and Children Hospital on 9.11.2022 for medical examination of Greeshma. The report and sealed cover received from Doctor were handed over to the investigating officer. A mahazar was prepared by the investigating officer, after seeing the same and PW79 attested Ext.P126 mahazar. She identified the sealed packet, M.O.48 and sealed cover, M.O.49. PW79 identified her signature in Ext.P79 also. She also identified accused Greeshma specifically in the dock. In the cross-examination she further submitted that there was direction from investigating officer to get A1 examined by a medical officer.

RECOVERY OF MOBILE PHONE OF A1

226. The mobile phone of A1 Greeshma was seized at the time of arrest at 3.45 p.m. on 31.10.2022 at Medical College Hospital, Thiruvananthapuram. PW81, ASI of Crime Branch, Thiruvananthapuram (Rural) attested Ext.P127 mahazar prepared for the recovery of mobile phone from the possession of Greeshma. PW81 identified the Redmi phone, orange in colour, its SIM card and Memory card, M.O.40, M.O.40(a) and M.O.40(b) respectively in the court. While in the Police surveillance at Nedumangadu Police Station, Greeshma attempted to commit suicide at 8.30 a.m. on 1.12.2022 after consuming Lysol and she was taken to Medical College Hospital, Thiruvananthapuram. Her dying declaration was recorded by JFMC, II, Thiruvananthapuram. A copy of the dying declaration and a copy of FIR No. 1863/2022 of Nedumangadu Police Station were produced, for which Ext.P128 mahazar was prepared which was attested by PW81. He identified Ext.P118, copy of dying declaration, Ext.P118(a) report and Ext.P119, certified copy of FIR in Crime No. 1863/2022 of Nedumangadu Police Station. Learned Senior Advocate submitted that there was no proper recovery of mobile phone of Greeshma. PW81 stated in the cross-examination that the mobile phone of Greeshma was opened by one Policeman, Albin and he had verified its function. It was a

finger lock one. PW81 has not seen how did it open. He is an attester to the mahazar only for the recovery of phone. He does not know the number, the pattern and whether functions were disabled etc. The applications in the phone were opened as directed by Dy.S.P. He did not see the chain of custody form with regard to the recovery/seizure of the mobile phone . He does not know whether M.O.40, MO40(a) and M.O.40(b) were separately labelled. The mobile phone applications were not password protected, according to PW81. He deposed that IMEI Number has been recorded in the mahazar. He does not know whether the seizure list was prepared for the mobile phone. One Anitha collected the phone from Greeshma at MICU and the same was handed over to investigating officer. It is argued by learned Senior Advocate that the fact that Anitha collected the phone is not mentioned in the mahazar. PW81, after reading the Ext.P127 mahazar deposed that the same is there from the 6th line onwards. Then it was submitted by learned Senior Advocate that receiving of phone and production of phone are entirely different and it is mentioned in the mahazar that accused produced the phone. This is a hyper-technical argument. It is proved that the seizure of mobile phone from A1 at the MICU was effected in the presence of PW81 and others. Then it was pointed

out that no document was received by Anitha for handing over the phone to the Dy.S.P. PW81 has not seen whether any such document was given or not. PW81 specifically identified A1 Greeshma in the dock and further stated that the mobile phone was seized from her. SCPO of Thiruvananthapuram Rural Crime Branch as on 31.10.2022, PW 64, was on duty along with Dy.S.P. for arresting A1 at the ICU unit of Medical College Hospital, Thiruvananthapuram. The mobile phone used by A1 was recovered from her possession by PW64 and the same was handed over to Dy.S.P. It was Redme phone, black and orange in colour. The same was identified by PW64 and mobile phone of Greeshma was marked as M.O.40. The sim card and memory card attached to it on the reverse side of the mobile phone are marked as Exts. M.O.40(a) and M.O.40(b). A recovery mahazar was prepared by Dy.S.P. It was attested by the witnesses in the presence of PW64 . PW64 identified Greeshma in the dock. In the cross-examination she has further stated that the mobile phone was on and not locked . No chain of custody form was filled up, PW64 explained that mobile phone was described in the mahazar. PW95 recovered M.O.40, M.O.40(a) and M.O.40(b) from A1 through PW64 as per Ext.P127 seizure mahazar. Ext.P236 is the report . It is proved from the

evidence of PW88 and Ext.P150 series mobile No. 8925888533 was issued in the name of father of Greeshma , Mohanakumaran Krishna Pillai. Greeshma admitted in the 313 statement that this phone belongs to her. The IMEI No. of this mobile No. is 864712056283950. This is a unique number for identifying the device. This is the Redmi orange colour phone, M.O.40, recovered from Greeshma at the time of her arrest. M.O.40, M.O.40(a), M.O.40(b) were shown to PW94 and identified by her. She identified Redmi mobile phone, sim card and memory card used by Greeshma which are Q1, Q1 Sim, Q1M respectively mentioned in her report. PW95 identified M.O.40, M.O.40(a) and M.O.40(b) in the court. The same were produced before court under KPF 151-A Form, Ext.P237. Nothing could be brought in the cross-examination materially to challenge the seizure. **The fact that A1 was arrested at Medical College Hospital , Thiruvananthapuram on 31.10.2022 and the recovery of M.O.40 mobile phone, M.O.40(a) sim card and M.O.40(b) memory card could be proved from the evidence of PW64.**

MOTIVE

227. **Point No. 4:** Whether first accused had motive to administer poison to Sharon Raj is crucial in view of the fact that the entire case is built upon the circumstances. She had specific motive to commit murder of Sharon because her marriage engagement with Satheesh was already done, she had gone through a marriage ceremony with Sharon at his house thereafter and also the date for eloping with Sharon as promised came closer. Greeshma, howsoever wanted to eliminate him from her life. It is proved by the evidence of PW4 and PW84 that she wanted to marry PW84. As per Ext.P84 Community Certificate, Sharon Raj belonged to SIUC Nadar community whereas Ext.P69 shows that A1 belongs to Nair community. As per Ext.P118 Sharon had threatened Greeshma that he will show the intimate pictures of both to the family members of both and make it public. PW84 categorically denied the suggestion put to him that he knew the relationship between Sharon Raj and A1. Ext.P20 mahazar in which Ext.P19 horoscope was described, M.O.16 album, admission of Greeshma in Section 313 examination about the marriage engagement will further corroborate the case of prosecution and it is proved that Greeshma had the motive to commit the murder of Sharon Raj.

Therefore, soon before meeting in November, 2022 with PW84, before the compliance of promise to elope with Sharon Raj and before solemnization of marriage proposed to be held on 5.02.2023 with PW84, she was left with no option except to exterminate Sharon Raj.

228. **PW1,PW2,PW3,PW10,PW92 have deposed that there is clear motive for first accused to administer poison to the deceased because marriage between Greeshma and Satheesh was already fixed on 4.03.2022 and they proposed to solemnize the marriage on 05.02.2023. Before that Greeshma wanted to eliminate Sharon who declared that he cannot live without Greeshma.** The marriage between Greeshma and Satheesh is not disputed by accused. Father of Satheesh, PW4, residing at Nagercoil, Kanyakumari deposed that his son Satheesh was in the Indian Army. The marriage engagement between Greeshma and Satheesh was conducted on 4.3.2022 at the house of Greeshma in the presence of family members of Greeshma and Satheesh. On that day father of Greeshma handed over horoscope of Greeshma to PW4 and Satheesh gifted her a bangle. They resolved the marriage to be solemnized on 5.2.2023 at Kumarakoil, Tamilnadu. Photographs were taken in connection with

the engagement which were identified by PW4 in the album. PW4 deposed that father, mother, uncle of Greeshma and other family members of Greeshma took part in the engagement function. The horoscope was produced before Parassala Police by PW4. PW4 identified the horoscope and marked as Ext.P19. The same was described in the mahazar, which was attested by PW4 and marked as Ext.P20. PW67, SCPO of Parassala Police Station attested Ext.P20 mahazar prepared after seeing the horoscope of Greeshma. He also identified the horoscope , Ext.P19. PW4 was not cross-examined by the accused. Motive is relevant U/S 8 of the Indian Evidence Act.

229. The marriage engagement between Greeshma and PW84, Naik in Indian Army was on 4.3.2022 . PW84 deposed that the marriage engagement was conducted at Greeshma's house. At that time she was studying for M.A. English Literature at Muslim's Arts College. Parents and close relatives from either side took part in the occasion . The Ext.P19 horoscope was handed over by father of Greeshma to father of PW84, PW4. PW84 then gifted a ring to Greeshma. His mother gifted a bangle to Greeshma. PW84 identified the M.O.16 album in which photographs of Greeshma, PW84 himself, her parents including A2 and A3 were also identified. PW84 identified A1 to A3 in the dock also. In tune with the

evidence of his father PW84 deposed that the marriage was proposed to be held on 5.2.2024. After the marriage engagement he used to talk to Greeshma to her number 8925888533. Several suggestions were put to PW84 in the cross-examination such as Greeshma told PW84 that she will marry only Sharon, she had told PW84 that she had sexual relationship with Sharon, PW84 agreed to Greeshma to marry anyone whomsoever she love, PW84 agreed that he will convince his parents in November that he is not interested in the marriage, Police threatened PW84 to implicate in the crime if he did not give evidence before court in favour of prosecution, Greeshma told PW84 about the relationship with Sharon, when PW84 visited Greeshma at her college, PW84 did not come home till November after coming to know about the relationship between Sharon and Greeshma, PW84 registered his name in the matrimonial site, etc. All those suggestions were denied by PW84. In fact when PW4, father of PW84 was examined, he was not cross-examined and no such suggestions were put.

230. It is proved that Greeshma by using her mobile phone (M.O.40-Q1) searched '<https://en.m.wikipedia.org/wiki/paraquat>' about paraquat production, reaction, herbicide use, reactivity and toxicity. In the toxicity search, Greeshma learned from the above

site that paraquat is toxic to humans by the oral route and moderately toxic through the skin, the mortality rate is estimated between 60% and 90% and pure paraquat when ingested, is highly toxic to mammals including humans, causing severe inflammation and potentiality leading to severe lung damage. (Eg: irreversible pulmonary fibrosis, Acute Respiratory Distress Syndrome and death. It is proved from the column No. 2 of Ext. P229(b), CDC/facts about paraquat. This search was made at 7.24 a.m. on 14.10.2022 from the mobile phone of Greeshma (Q1-MO 40). The fact that MO40-Q1 is belonged to Greeshma, is not disputed. So, it is proved, 2 hours prior to the arrival of Sharon at her home, she had made preparation for the commission of the offence. It is proved that 2 hours before the occurrence Greeshma had intention and motive to poison Sharon. At 7.43 a.m. , as per Ext.P229(a2) message Greeshma had invited Sharon to her home and by that time she had learned about the administration of paraquat and its impact. The whatsapp messages , Exts. P229(a) to P229(a22) would specifically prove the fact that Greeshma was very particular that Sharon had to be brought to her home at about 10.30 a.m. on 14.10.2022 because she had already prepared poison for Sharon.

231. It is argued vehemently that there was no threat by Sharon against Greeshma that the intimate photographs will be sent to PW84 and he did not even state that he has in his possession such compromising photographs. Learned senior advocate argued that therefore there was no motive for Greeshma to commit murder of Sharon. That alone cannot be taken as circumstance for motive to commit murder of Sharon. PW95 deposed that there is no evidence regarding blackmailing of Greeshma by Sharon and there was no threat at all from the side of Sharon. On the other hand, PW95 stated that Sharon had desired to marry Greeshma, but Greeshma wanted to avoid him. The motive may not be generated only if there is a threat, black mailing etc. It cannot be expected that Sharon will not take revenge if she marries PW84, as he was in deep love with Greeshma and in several messages Sharon called Greeshma as his wife and in fact he tied the knot around her neck at his house and presumed to be married. He may not like her marriage with PW84. So, the motive was only to eliminate Sharon. Otherwise she cannot marry PW84 as already arranged by her parents. Merely for the reason that Sharon did not threaten Greeshma or threatened to blackmail Greeshma to send

intimate pictures to PW84 etc. do not mean that Greeshma had no intention or motive to commit murder of Sharon.

232. The love affair and sexual relationship with Sharon is admitted by A1 in statement U/S 313 Cr.P.C. It is proved by evidence of PWs 1 to 3, PW14, PW16, PW50, PW57, PW91, PW94, Exts. P4(a8),P4(a9), P4(s), P4(t), P4(u), P4(v), P37, P37(a), P42, P65, P66, P79, P191, P156(a), P229(f), P229(g), P4(x), P4(y), P4(z), P229(u), MO40 that an unsuccessful attempt to commit the murder of Sharon Raj earlier, is a relevant fact by which the intention and motive and also preparations of A1 to commit the murder of Sharon is proved. It is further proved that she reposed confidence by interaction and sexual relation with Sharon and the juice challenge was administered with heavy dose of paracetamol with an intention of slow poisoning. In the second attempt also, on 14.10.2022, kapiq was administered as learnt by research work that it will take 10 days to kill human being with paraquat . Just 52 days after the first attempt and in a hurry to bury him, she moved abruptly which is very much visible in the whatsapp messages. Soon before poisoning there are ten or more messages in minute to bring him to her hand. She offered sex and by deceitful means she succeeded in bringing Sharon to her bedroom. Greeshma had

access to poison. She confessed that kapiq herbicide which was brought to her home by A3 was available and hence she was in possession of poison. She confessed that she mixed this poison with kashayam. As per section 8 and illustration(c) this is relevant fact by which the element of motive could be proved by prosecution.

233. The circumstance that marriage between Greeshma and PW84 got engaged and marriage engagement was conducted on 4.3.2022, and the marriage was proposed to be held on 5.2.2023 is relevant because after the marriage engagement, Greeshma and Sharon united again in May, 2022 and they had every relationship. Sharon was deeply in love with Greeshma and in fact Greeshma and Sharon married by tying a thali around her neck and they visited Vettukadu church and other places after the marriage . Several photographs of compromising positions were taken by Sharon in his mobile. As the date for marriage between Greeshma and PW84 was coming nearer, Greeshma also wanted to eliminate Sharon. The evidence of PW1 to 3 is corroborated by the evidence of PW4 and PW84, Ext.P16, P19, the videos, images which are detailed above. The motive behind the crime is also proved by the evidence of

PW1 to 4 and PW84 that Greeshma wanted to kill Sharon before her marriage with PW84 on 5.2.2023. The intention to commit murder is proved by the evidence of PW1 to 4 and PW84, Ext.P16, Ext.P19, several images and videos marked as above that after the engagement on 4.3.2022 Greeshma and Sharon got married and in the circumstance before the next visit of PW84 , the Naik in the Indian Army on leave in November, she wanted to kill Sharon at any rate and hence to meet that end, she administered poison. The idea of Greeshma was not good because after she got engaged with an officer of Indian Army, receiving customary gifts such as ring and bangle from PW84 and his mother, two months after she went through the marriage ceremony with Sharon and had sexual relationship with Sharon , attempted to kill him by mixing the paracetamol in the juice on 22.8.2022 and conducted juice challenge at Kuzhithura bridge and after failing which she administered him a concoction laced with poison , karpiq herbicide. Her subsequent conduct is also relevant. She being post graduate need not do such a search except for the purpose of the motive which she formed in her mind. It shows that

detailed studies were made only to administer poison to Sharon and that is why she deleted all these search histories. Point No. 4 is found in favour of prosecution.

FSL REPORT- DOCUMENT DIVISION

234. PW86, Assistant Director, Document Division, State F.S.L., Thiruvananthapuram received three packets in connection with this crime. PW86 deposed that the questioned and standard documents consists of two volumes and 15 sheets . The following are the examination report/opinion:

EXAMINATION REPORT/OPINION

1	Report Number dated 27/01/2023.	AS-02/2023/B2/194/FSL/2023
2	No. of pages of Report	Four(04)
3	Forwarding Authority	The Judicial First Class Magistrate-II, Neyyattinkara Reference No. : L7/23 Dated 06/01/2023.
4	Crime No.	1311/22
	Police Station	Parassala. u/s : L-7/23 dated 06.01.2023
5	Mode of Receipt	By Messenger Through : Sri. Albin. S.B. CPO 6566 of Parassala Police Station.

6	Date of Receipt	07/01/2023.
7	No. of packet received (sealed)	Three (03) sealed packet.
8	Condition of the seal(S)	Seal intact and tallied with specimen seal impression.
9	Purpose of reference	For handwriting comparison and Report.
10	Date(s) of Examination	12.01.2023 to 21.01.2023.
11	Details of Exhibits received	Questioned Documents : 1 volume (Q1 to Q5)
	Standard Documents	1 volume (A1 to A5) 15 sheets (S1 to S15)

12. Methods and procedure adopted:

The questioned documents in this case were carefully and thoroughly examined and compared with standard documents in all aspects of handwriting identification and detection of forgery using modern scientific instruments in the State Forensic Science Laboratory at Thiruvananthapuram.

Reasons for result of examination :

The red enclosed questioned items marked Q1 to Q5 are the writings in the inner pages numbered as (page 1 to page 5) in a record book in the name of Sharon with covering page bearing captions read as

KANYAKUMARI MEDICAL MISSION
C.S.I. HOSPITAL, NEYYOOR
CHRISTIAN COLLEGE OF
ALLIED HEALTH SCIENCES.

The standard items supplied for comparison and stated to have been written by one Greeshma consists of blue enclosed writings marked A1 to A5 (occurring in a diary of the year 2019 bearing caption read as Malabar Gold and Diamonds) written in the normal course and specimen standard writings marked S1 to S15 in 15 sheets.

On examination, all the standard writings were found to be freely written with natural variation and are consistent interse. The questioned writings were also found to be freely written with natural variation and are consistent interse. The questioned and standard writings showed consistency among themselves. On comparison, the questioned writings showed similarities in individual writing characteristics with that of the standard writings.

In addition, the questioned writings showed similarities in general writing characteristics such as skill, speed, movement, rhythm etc. with that of the standard writings. The similarities found between the questioned and standard writings in both general as well as individual writing characteristics are significant and there do not exist any fundamental differences between them. The similarities are not due to accidental coincidence or attempted imitation but are only due to common authorship Hence it can be concluded that the person who wrote the blue enclosed standard writings stamped and marked A1 to A5 and S1 to S15 also wrote the red enclosed questioned writings similarly stamped and marked Q1 to Q5.

13. Result of examination: The person who wrote the blue enclosed standard writings stamped and marked A1 to A5 and S1 to S15 also wrote the red enclosed questioned writings similarly stamped and marked Q1 to Q5. The report bears signature of PW86, designation and office seal. The same is marked as Ext.P146. After having identified M.O.4, PW86 deposed that M.O.4 was compared with S1 to S15, i.e., specimen handwriting of Greeshma. The specimen handwriting of Greeshma was marked as Ext.P147 series, 15 numbers. M.O.28 was shown to witness and standard admitted writing of Greeshma was marked as M.O.28(a series) (5 numbers). PW86 deposed **after comparing first page of M.O.28 in which e-mail address was written by Greeshma in her handwriting as , 'greeshmaass@gmail.com' with questioned document in M.O.4 that it were consistent with each other.** PW86 further deposed that another e-mail id, 'greeshmass2011@gmail.com' is seen in the 3rd page of M.O.28 in the reverse order and when compared with the hand writings containing in M.O.4, the same were also found to be consistent with each other. PW86 was not cross-examined. **The fact that the diary recovered from the residential house of A1 Greeshma, M.O.28, belonged to Greeshma herself is proved by the evidence of PW86, Assistant Director, Document Division, State FSL, Thiruvananthapuram. It is further proved that M.O.28(a) series (5 numbers) writings, marked as A1 to A5 in the M.O.28 diary, are in the handwriting of A1 Greeshma. It is proved that the record book recovered from the residential house of A1, M.O.4 contains the handwriting**

of Sharon in page Nos. 1 to 5 . This is a circumstance by which Sharon came to the house of Greeshma. It is further proved from the evidence of PW86 that Greeshma has two email id; 'greeshmaass@gmail.com ' and greeshmass2011@gmail.com'.

CALL DETAIL RECORDS

235. The CDRs includes information about calling number, receiving number, call start time, call duration, cell tower location etc. The relevance and probative value of call data records was discussed elaborately by the High Court Of Kerala in Shaji.V. State Of Kerala 2018 (3) KLT 164 as follows- '22. Call data records constitute an important and effective tool and evidence which facilitate and assist the Investigating Officer and they help the Court to ascertain the veracity of the prosecution case. Such scientific evidence cannot be ignored or overlooked.

236. An active mobile phone has two components, that is, the mobile instrument and the SIM card. Every mobile instrument has a unique identification number, namely, International Mobile Equipment Identity number, for short, IMEI number. Such SIM card could be provided by the service providers either with cash card or post paid card to the subscriber and once this SIM card is activated

the number is generated which is commonly known as mobile number.

237. The mobile service is operated through a main server computer called mobile switching centre which handles and records each and every movement of an active mobile phone like day and time of the call, duration of the call, calling and the called number, location of the subscriber during active call and the unique IMEI number of the instrument used by the subscriber during an active call. This mobile switching centre manages all this through various sub-systems or sub-stations and finally with the help of telephone towers. These towers are actually Base Trans - receiver Stations also known as BTS. Such BTS covers a set of cells each of them identified by a unique cell ID.

238. The Nodal Officer of BSNL, Kerala Circle, PW83 had produced call details records , customer application form and S.65B certificate before the investigating officer as per the request of District Police chief, Thiruvananthapuram (Rural). He deposed that the call details from 31.10.2021 to 31.10.2022 from mobile No. 9487115044 and 9487323044 were produced by him. The Section 65 B certificates were issued by Divisional Engineer (IT) who was the Nodal officer and the same were marked as Ext.P132 and

Ext.P135. According to him both the numbers belonged to Sreekumaran Nair, S/o Velappan Nair. The customer application forms were marked as Exts.P133 and P134. Both the CD, soft copy of the call data records were played in the court and marked as Ext.P136 series. This is not relevant even according to the learned Special Public Prosecutor.

239. Nodal Officer, Bharatheeya Airtel Ltd. , Kerala Circle, PW88 produced certified copies of Customer Application Form and two adhar pages of the mobile No. 9150943821 belonged to A3 Nirmalakumaran Nair and marked as Exts.P149, P149(a) and P149(b) respectively. PW88 also produced the certified copies of Customer Application Form, Adhar pages of the mobile phone issued in the name of Mohanakumaran Krishna Pillai, father of Greeshma bearing No. 8925888533 and the same were marked as Exts. P150, P150(a) and P150(b) respectively. This was the phone used by Greeshma. PW88 produced the copies of Customer Application Form and two adhar pages of the mobile phone No. 8903181530 issued in the name of Pradeep.T.S. and the same are marked as Exts. P151, P151(a) and P151(b) respectively. So also, PW 88 produced the certified copies of Customer Application Form, two Adhar pages of the mobile phone No. 9443606249 issued in the

name of Mohanakumaran Krishna Pillai, which are marked as Exts.P152, 152(a), 152(b) respectively. He produced the copies of Customer Application Form, two adhar pages of the cell No. 9567170224 issued in the name of Rejin.R.S. (PW2) which are marked as Exts. P153, P153(a) and P153(b) respectively. He issued Ext.P154 , Section 65B certificate for Ext.P149 to P152 series and its covering letter is marked as Ext.P155. The call data records are contained in the CD which is marked as Ext.P156. Ext.P156 is opened and played in the open court . Password is also contained in Ext.P156. The CDR of mobile phone No. 8925888533 (Greeshma) was marked as Ext.P156(a). PW88 deposed that it is seen in page No. 181 of the CDR that on 13.06.2022 outgoing call for 18 seconds at 08:00:30 hours to the mobile No of Sharon, 9074171590. On that day outgoing call for 76 seconds at 08:14:28 hours is seen . He further deposed, in page No. 213 an outgoing SMS is seen at 08:40:47 hours on 18.7.2022 . On the same day an outgoing call was made with duration of 17 seconds at 08:57:51 hours. In page 284 an outgoing call for 11 minutes at 23:01:58 hours on 13.10.2022 was seen . On the same day outgoing call was made for 4021 seconds at 23:02:21 hours. In page No. 219 at 11:46:34 hours on 22.10.2022 outgoing call was seen made for 93 seconds .

All the above calls were outgoing calls and SMS from the mobile number of Greeshma to the mobile number of Sharon.

240. On 22.10.2022 outgoing call for 667 seconds was seen at 13:01:55 hours , at 13:25:53 hours, outgoing call for 70 seconds was seen. In page No. 288 of the CD Greeshma had called PW3 Sajin to his mobile No. 6238854832 at 21:42:38 hours on 19.10.2022 for 233 seconds. In page No. 291 Greeshma had called PW3 again on 22.10.2022 at 14:11:18 hours for 793 seconds. Greeshma sent SMS to PW3 at 08:32:28 hours on 23.10.2022. On that day itself she called PW3 for 119 seconds at 08:34:56 hours. PW88 deposed that the IMEI No. of mobile phone number 8925888533 is 864712056283950. According to him this is a unique number that identifies a mobile device. The CDR of PW2 Rejin, Ext.P156(b) is also marked through PW88. He deposed, in page No. 380 , Sharon had called Rejin for 58 seconds at 10:03:18 hours on 14.10.2022 . In page No. 381 it is seen that Sharon had called PW2 Rejin for 7 seconds at 11:34:57 hours. He further deposed that IMEI NO. of 9567170224 is 866700049671000 .

241. In the cross-examination he further stated that on 13.10.2022 at 6.36 a.m. , 23:01:58 , 23:02:37, three calls were made from the mobile number used by Greeshma to the mobile

number of Sharon. So also on 12.10.2022 at 08:35:48 hours two calls were seen. On 14.10.2022 , there were no incoming or outgoing calls or SMS from the mobile No. of Greeshma or Sharon. It has been clarified in the re-examination that whatsapp call contact details will not appear in the CDR and whatsapp messages also will not be available in the CDR. According to him CDR is meant only for voice call and SMS .

242. A mobile continuously selects a cell and exchanges data and signalling traffic with the corresponding BTS. Therefore, through a cell ID the location of the active mobile instrument can be approximated (Mohd. Arif @ Ashfaq v. State of NCT of Delhi, 2011 KHC 4680). Every time a mobile handset is used for making a call, besides recording the number of the caller as well as the person called, the IMEI numbers of the handsets used are also recorded by the service provider. Call data records, being evidence of a conclusive nature, cannot be overlooked and even a serious discrepancy in oral evidence has to yield to such scientific evidence (See Gajraj v. State (NCT) of Delhi, 2011 KHC).

243. It is to be noticed that in Shaji P.A Vs. State of Kerala (2018 (3) KHC 429), the Kerala High Court had relied on the Supreme Court decision in Gajaraj Vs. State of NCP (2011 KHC 4871) and held

that call data records being evidence of a conclusive nature cannot be overlooked and even a serious discrepancy in oral evidence has to yield to such scientific evidence.

244 . **It is proved from the evidence of PW88 and Ext.P150 series mobile No. 8925888533 was issued in the name of father of Greeshma , Mohanakumaran Krishna Pillai. The IMEI No. of this mobile No. is 864712056283950. This is a unique number for identifying the device. This is the Redmi orange colour phone, M.O.40, recovered from Greeshma at the time of her arrest. It is proved by the evidence of PW88, Nodal Officer, Bharatheeya Airtel Ltd., Kerala Circle that ExtP153 series, mobile No. 9567170224 is belonged to PW2 Rejin. It is proved by the evidence of PW88, Nodal Officer, Bharatheeya Airtel Ltd., Kerala Circle that Greeshma had called Sharon for 18 seconds at 8 a.m. and 76 seconds at 8.14 a.m. on 13.06.2022. These calls are relevant because PW16 deposed that Sharon and Greeshma had occupied a room at Golden Castle Inn, Thripparappu, Kanyakumari. The guest register produced by PW16 shows that both Sharon and Greeshma were in room NO. 2 of that hotel from 9 a.m to 3.30 p.m. The**

evidence of PW16 is corroborated by the evidence of PW88. This could prove that Greeshma had enticed Sharon to have sexual intercourse with him earlier. The evidence of PW88 proved the circumstance that on 18.07.2022 Greeshma had sent SMS to Sharon at 8.40 a.m. and called him at 8.57 a.m. on that day . This call was also for enticing Sharon to have sexual intercourse with Sharon. PW16 deposed that Sharon and Greeshma had occupied a room in the same hotel from 9.30 a.m. to 2 p.m. on 18.07.2022. It is proved by the evidence of Dr.Krishna Priya, PW 50, Gynecologist at Women and Children Hospital, Thycaud that on genital examination test she had sexual contacts . Greeshma had admitted to PW50 of her sexual contact with Sharon on 13.06.2022 and 18.07.2022 at the Golden Castle Inn, Thripparappu. The evidence of PW92, father of Sharon that Sharon had disclosed to him soon before his death about the sexual relationship he had with Greeshma is further proved by the evidence of PW16, PW50 and PW88. The evidence of PW1 to 3, PW92 that Sharon had relationship with Greeshma even after the marriage engagement with Satheesh was conducted is proved by the evidence of PW16, 50 and 88.

The circumstance that soon before the abduction Greeshma had enticed Sharon is proved by the evidence of PW1 to 3, PW92 and further corroborated and complemented by the evidence of PW88 by producing the call data records in which Greeshma proved to have called Sharon for 11 minutes at 23:01:58 hours on 13.10.2022 and 4021 seconds at 23:02:21 hours on the same day. Evidence of PW1 to 3, PW10 and PW92 that Greeshma abducted Sharon by deceitful means in order to poison him is further corroborated by the above call data records proved by PW88. The evidence of PW1 that he had talked over phone with Greeshma on 22.10.2022 and he had recorded the calls in the CD and handed over to the Police is further proved by the evidence of PW88 that in page No. 290 of the call data records Greeshma had called PW1 Shimon Raj for 93 seconds at 11:46:34 hours on 22.10.2022. It was the voice of Greeshma and Shimon Raj which is proved by the evidence of PW77, Scientific Officer, Physics, FSL, Thiruvananthapuram and Ext.P19 FSL report . PW57, Tahsildar and Executive Magistrate was present while preparing the mahazar Ext.P12 after playing Ext.P4 hard

disc identifying the voice of both Greeshma and Shimon Raj. The evidence of PW3 Sajin that after the hospitalization of Sharon Raj he had contacted Greeshma to know what content was mixed with the kashayam is further corroborated by the call data records and deposition of PW88 that in page No. 288 of the CD Greeshma had contacted PW3 at 21:42:38 hours on 19.10.2022 or 233 seconds and on the same day as page No. 291 of the CD she had called PW3 Sajin for 793 seconds at 14:11:18 on 22.10.2022 . At 8:32:28 hours she sent a message to PW3 on 23.10.2022 and had called PW3 for 119 seconds at 08:34:56 hours on 23.10.2022 . Greeshma was watching the progress of poisoning .

245. The fact that the mobile No. 8925888533 was in the regular use of Greeshma is admitted. The same was recovered from her. So also, the IMEI No. 864712056283950 is the mobile number used by Greeshma, also is not disputed. The tower locations on various days while using this mobile number by Greeshma would also substantiate this fact further. While examining PW1, Ext.P103 voice clip in the CD was played . The same was recorded by PW1 in his mobile phone. The contact

number of Greeshma was forwarded to PW1 by PW3. The same was saved in the mobile phone by PW3 as 'Greeshma chechi'. Ext.P103(a), 'Call recording Greeshma chechi', 22.10.2022' was played in the open court and after opening the file, PW1 identified the voice as that of him and Greeshma. The entire voice recordings were played in the open court and the voice clip was marked as Ext.P103(a). PW1 has admitted in the cross-examination that he wanted to know the details of the poison and he willfully recorded the voice call of Greeshma. On a forensic examination PW77 has given evidence that the audio file named 1, 'Call recording Greeshma-221022-132537' in the file folder 'Call recording from Q1m'. Two audio files named 'Call recording Greeshma chechi 221022-130412' and 'Call recording Greeshma Chechi - 221022-132537' were found in the file folder . " Call recording from Q2' . PW77 deposed that the questioned audio files named "Call recordings Greeshma_221022_130412" and "Call recording Greeshma Chechi_221022_130412" was each of duration 8 min 48s. Also, content of the conversation was same in both the files. Similarly, the questioned audio files named "Call recording Greeshma _221022_132537" and "Call recording Greeshma Chechi_221022_132537" was each of duration 1 min 6s, with the

same content of conversation. The questioned audio file “Call recording Greeshma _221022_130412” was labelled as Q1 and the questioned audio file “Call recording Greeshma _221022_132537” was labelled as Q2 in the laboratory for examination. The questioned audio file Q1 contained a conversation between a male and a female person. In the conversation, clear audible utterance of a male person starting with “..... ആ ഹലോഅല്ല പുത്തൻകട ഫാർമസി എന്നതല്ലേ ” was labelled as Q1(a) (in the laboratory for examination) and clear audible utterance of a female person starting with “ ഞാൻ വേണമെങ്കിൽ ഒന്നും കൂടെ വിളിച്ചു കൺഫോം ചെയ്യാം” was labelled as Q1(b) (in the laboratory for examination). Both Q1(a) and A1(b) were segregated from the questioned audio file Q1. The questioned audio files Q2 also contained a conversation between a male and a female person. In the conversation, clear audible utterance of a male person starting with “..... ആ ഹലോ ആ പറഞ്ഞാ അത് ഏതു ഷോപ്പാണെന്ന്” was labelled as Q2(a) (in the laboratory for examination and clear audible utterance of a female person starting with “ഹലോ ആ ചേട്ടാ ഇപ്രാവശ്യം അവളു് കഷായം അവിടുന്ന്” was labelled as Q2(b) (in the laboratory for examination.)

Both Q2(a) and Q2(b) were segregated from the questioned audio file Q2.

1. Voice of the speaker marked as 'Q1(a)' which is segregated from the audio file "Call recording Greeshma_221022_130412" contained in item no.15 and specimen voice samples marked as 'S6 to s10' (Shimon Raj) contained in item no.10 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice sample of the speaker marked as 'Q1(a)' is the most probable voice of the specimen voice samples marked as 'S6 to S10' (Shimon Raj). Similarly voice of speaker marked as Q2(a)' which is segregated from the audio file "Call recording Greeshma _221022_132537" contained in item no.15 and specimen voice samples marked as 'S6 to S10' (Shimon Raj) contained in item no.10 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice sample of the speaker marked as Q2(a) is the most probable voice of the specimen voice samples marked as 'S6 to S10' (Shimon Raj).
2. Voice of the speaker marked as 'Q1(b)' which is segregated from the audio file "Call Recording Greeshma _221022_130412" contained in item no.15 and specimen voice samles marked as 'S11 to S15'(Greeshma) contained in item No.13 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice

sample of the speaker marked as 'Q1(b)' is the most probable voice of the specimen voice samples marked as 'S11 to S15' (Greeshma). Similarly, voice of the speaker marked as 'Q2(b)' which is segregated from the audio file "Call recording Greeshma _221022_132537" contained in item no.15 and specimen voice samples marked as 'S16 to S20'(Greeshma) contained in item no.13 is identical in their acoustic cues and other linguistic and spectrographic features. Hence it is opined that the voice sample of the speaker marked as 'Q2(b)' is the most probable voice of the specimen voice samples marked as 'S16 to S20' (Greeshma).

3. Voice of the speaker in the audio file marked as "Q3" (PTT-2022104-WA0006) contained in item no.16 and specimen voice samples marked as 'S16 to S20' (Greeshma) contained in item No.13 is similar in their acoustic cues and other linguistic and spectrographic features.. Hence it is opined that the voice sample of the speaker marked as 'Q3' is the probable voice of the specimen voice samples marked as 'S16 to S20' (Greeshma).

Therefore, Greeshma had made extra judicial confession to PW1 as discussed and there is specific admission that she had given kashayam at around 10 a.m. on 14.10.2022 at her house at Poovampallikonam. She further had confessed to PW1 that Sharon vomited at her house. The evidence of PW2 coupled with the medical evidence of vomiting after

having kashayam is further corroborated by the confession made by Greeshma in the audio clips. This is not a case in which the confession or extra judicial confession is reliable mainly, but this is only to supplement the other substantive evidence . The evidence of PW2 that Sharon had invited him to accompany Sharon to Greeshma's house at Poovampallikonam at 10 a.m. on 14.10.2022 is proved by the call data recordings in Ext.P156(b) in which it is seen that Sharon had made outgoing call for 58 seconds at 10:03:18 hours on 14.10.2022 which is available in page No. 380 of Ext.P156(b). It was at 11:34:57 hours Sharon made outgoing call for PW2 Rejin for 7 seconds . It will substantiate the evidence of PW2 that PW2 and Sharon arrived at the house of Greeshma at around 10.30 a'.m and after a while Sharon went out . The second call made by Sharon to PW2 is seen in page No. 381 of Ext.P156(b). The circumstance that Greeshma had opportunity to administer poison to Sharon on 14.10.2022 at 10.30 could be proved by the evidence of PW2, PW88, PW57 and PW92.

246. Reliance Jio Infocom Ltd. Kerala State Nodal Officer, PW91 produced the customer application form, call details cell ID details,

S.65B certificate pertaining to the mobile numbers 6395034022 and 9074171590 as per request of Police chief, Thiruvananthapuram for the purpose of investigation of this case. She produced customer application form kept for the diametric connection of the mobile No. 6395034022 in the name of Satheeshkumar, Pazhani, S/o Pazhani, Ext.P187 and its e-kyc consent letter, Ext.P188, duly signed by PW91. She also produced the customer application form of the mobile number of Sharon Raj J.P. , 9074171590, Ext.P181 and its e-kyc consent letter, Ext.P70. This number is also, according to PW91, Bio Metric Connection. He deposed that both CDR and cell ID details were contained in the CD which is marked as Ext.P191. Ext.P191 CD was played in the open court. After seeing the images PW91 deposed that page No. 267 of Ext.P191 shows that on 08:00:30 hours on 13.06.2022 there was call for 18 seconds. From the mobile number of Greeshma, 8925888533. On the same day there was call from the mobile used by Greeshma to the mobile number of Sharon for 76 seconds on 08:14:27. The cell ID of first call is 405862022FA31 and the cell ID of 2nd talk is 40586902C6332. According to PW91, the cell ID of 2nd talk is 40586902C6332. According to PW91, the cell ID will be changed , if the customer moves from one place to another. As I

have held earlier, relying the evidence of PW16, it is proved that both Sharon and Greeshma had occupied the room on 13.06.2022 at Golden Castle Inn and it is important to note that it was Greeshma, who took initiative and she enticed Sharon to come which reveals the contact of Greeshma that she was in the habit of enticing him for having sexual intercourse with him.

247. Referring to page No. 304 of Ext.P 119 PW91 deposed that at 8:40:45 hours on 18:7:2022 there was outgoing message from mobile number of Sharon Raj and on the same day 8:57:51 hours there was incoming call for 18 seconds from the mobile number used by Greeshma to the mobile number of Sharon Raj. The cell ID No. of this call is 40586920DA13 . She deposed, as per page 349 of Ext.P191 there was call for 1462 seconds from the mobile number used by Greeshma to the mobile number of Sharon at 22:51:59 on 21.08.2022 . The cell ID is 405862022FA24 . On 22.08,2022 there was call from Greeshma to Sharon for 44 seconds from her mobile number to the mobile number of Sharon, PW91 deposed. The Cell ID is 405862022FA11. **PW91 deposed that as per page No. 409 of Ext.P191 there was call for 11 seconds from the mobile phone number used by Greeshma to the mobile phone of Sharon at 23:01:58 hours on 13.10.2022.**

The cell ID is 405862022FA31. On the same day there was lengthy call for 4021 seconds starting from 23:02:36 on 13:10:22 (1 hour 7 minutes) which ended at 00:09:37 hours, that means the called switched over to the next day. The cell ID is 405862022FA31. PW91 deposed that as per the location of mobile number of Sharon Raj it was in Kerala. These two calls are made by Greeshma to Sharon. She made her calls from her house at Poovampallikonam, Tamilnadu. At that time Sharon was in Kerala. PW91 also deposed that Sharon Raj had called PW2 at 10:03:18 hours on 14.10.2022 for 58 seconds. The cell ID No. is 405862022FA24. At that time Sharon was in Kerala Circle, PW91 added. On the same day at 11:15:42 hours Sharon had called PW2 for 25 seconds and at 11:34:57 hours Sharon had called PW2 for 7 seconds. IMEI No of the handset used by Sharon Raj is 862059059158270. He had also another IMEI No. 866344042284195. PW91 explained that IMEI No. will be changed if the customer has changed the handset. PW91 has further clarified that upto 2.12.2021, he had used a mobile number and thereafter he changed the handset.

248. PW91 produced the customer application form , cell ID, call details fo the mobile phone No. 7293112659 belonged to Shimon Raj and 6238854832 belonged to one Sasikumar. Its covering letter was marked as Ext.P192 and Section 65B certificate was marked as Ext.P193. Ext.P194 is the customer application form copy of Shimon Raj and Ext.P195(a) are the adhar copies of Shimon Raj. Ext.P196 is the copy of customer application form of Sasikumar and Ext.P197 and 197(a) are the copies of Adhar pages. CDR particulars between the two numbers, are contained in the CD, Ext.P198. In tune with the evidence of PW1, PW91 deposed that after playing Ext.P 198 CD in the court that in page No. 41 at 11:45:34 hours on 22.10.22 Sharon Raj had sent a messenger to Greeshma. At 11:45:57 hours Sharon Raj had sent another messenge to Greeshma. It is stated by PW91 in tune with the evidence of PW1 that Greeshma had called Shimon Raj for 93 seconds at 11:46:03 hours on 22.10.2022 for 93 seconds. On the same day at 13:-1:55 hours, Greeshma called Shimon Raj for 69 seconds. The above messages and calls between Shimon Raj and Greeshma were made between them would further substantiate the evidence of PW2 that PW1 deliberately recorded the calls of Greeshma which are marked as Ext.P103(a) and Ext.P 103(b).

249. In page No. 18, PW 91 deposed that Greeshma had called to the cell phone belonged to Sasikumar at 15:41:15 hours on 18.10.2022 for 154 seconds. The cell ID is 4058200C4C25. Further, in page No. 25 it is seen that **there was call for about 116 seconds at 14:40:51 hours on 20.10.2022. After playing Ext.P 191 CD in the court PW91 identified the cell ID call in the screen which was marked as Ext.P191(a). As per page No. 410, PW91 deposed , at the time of making call for 4021 seconds on 13.10.2022 at 25:02:36 hours , tower location was at the house of one Purushothaman, Palugal, Kodavilakam, Thiruvananthapuram. She clarified that the town of the tower location is shown as Neyyattinkara. Therefore, the prosecution case that Greeshma abducted Sharon Raj by making whatsapp calls, whatsapp chat and mobile phone calls is further corroborated by the evidence of PW1, PW2, PW3, PW82, mother, PW83, PW77 etc. PW91 further stated that at the time of making calls for 24 seconds at 10:19:27 hours on 14.10.2022 , call from Sharon Raj to Shimon Raj, Sharon was at Cheriyakolla, Neyyattinkara town. It proves that Sharon had called his**

brother soon before starting to Greeshma's house from his house at Parassala.

250. In the cross-examination PW91 has reiterated that there were frequent calls between Sharon Raj and Greeshma till 14.10.2022. The same is not disputed by the prosecution. Learned Senior Advocate submitted that no difference is mentioned for the call which went up to 1 hour 7 minutes on the night of 13.10.2022. The same is explained by PW91 that the call switched over to the next day and only one date is mentioned. She admitted that the dates between the two tower locations cannot be easily stated. However, she clarified that when the idea of longitude and latitude the calculation can be made via google and thereby the distance between the two towers can be calculated. According to her the location of a phone number is dynamic because the customer is moving every time. Therefore, the distance will always be shown in between two towers. According to her the call have 154 seconds at 15:41:15 hours on 18.10.2022 was from Medical College , Thiruvananthapuram tower location.

FSL- CYBER FORENSIC EVIDENCE

251. It is to be noticed that it is extremely difficult for the prosecution to unravel the full dimension of the mental element of

the accused. The advent of internet, digital technology, devices like mobile phones and computers have created the cyberspace, whereby a person can communicate to others, share data, has information in his finger tips and he is able to take positive action, like issuing of e-mails, conducting searches for gathering information etc. Cyberspace is a virtual world created by Internet and digital networks. It is a link between physical and infinite world. Cyberspace is now part of human life. Just like a person carrying on activities in the real world leaving trails, signs and traces of his presence at locations which he visited, like footprints, fingerprints etc, a person who does online activity in the cyberspace would leave trails known as digital footprints.

252. Every time a person is online, he creates a trail of information, which he has viewed or created, which is known as digital footprint. A person's digital footprint is a record of all his interaction online in cyberspace. Once a trail is left by an online user, it remains permanently in cyberspace. The active and passive digital footprint of a person is a guide to identify his mindset.

253. Assistant Director , State FSL , Thiruvananthapuram , PW94 deposed that on 15.12.2022 she examined the Material Objects involved in this crime, ie., Crime No. 1311/22 of Parassala

Police Station in all aspects of Cyber forensic and issued the reports. The exhibits received include 11 sealed packets containing four questioned mobile phones, two questioned laptops with bag, two questioned pen drives , two sterile hard discs and two laptop chargers . PW94 produced examination report as follows:

Examination Report No: DD-837/22/B2-12897/FSL/22 Dated : 15.12.2022. Details of the Exhibits Received:

Sl.No.	Marking	Device	Details
1	Q1	Mobile Phone	Make : Redmi Model : Redmi 9 IMEI 1 : 8647 1205 6283 950 IMEI 2 : 8647 1205 6283 968
	Q1 SIM	SIM Card	Network : Airtel ICCID : 8991 4009 1290 6038 5121
	Q1M	Memory Card	Type : micro SD. Capacity : 1GB
2	Q2	Mobile Phone	Make : Samsung Model : SM - G531H IMEI 1 : 3577 6807 5603 606 IMEI 2 : 3577 6907 5603 604
	Q2SIM	SIM Card	Network : BSNL ICCID : 8991 8000 6140 1316 4400
3	Q3	Mobile Phone	Make : Realme Model : Realme C15 IMEI 1 : 8667 1805 2298 270 IMEI 2 : 8667 1805 2298 262
	Q3 Sim	SIM Card	Network : Airtel

			ICCID : 8991 0009 0750 5199 206
4	Q4	Mobile Phone	Make : Realme Model : Realme narzo 30 IMEI 1 : 8620 5905 9158 272 IMEI 2 : 8620 5905 9158 264
	Q4SIM	SIM Card	Network : Jio ICCID : 8991 8620 4004 4030 8319
5	Q5	Hard Disk	Make : Seagate Capacity : 1000 GB S/N : WL1KXDZ0
6	Q6	Hard Disk	Make : Western Digital Capacity : 500 GB S/N : WXW1A9727LPV
7	Q7	Pen Drive	Make : SanDisk Capacity : 8 GB
8	Q8	Pen Drive	Make : SanDisk Capacity : 8 GB

Results of Examination:

- i. Data present in the phone memory of the questioned mobile phones marked **Q1** to **Q4** were retrieved and soft copies of the same are enclosed in folders named '**Data from Q1**', '**Data from Q2**', '**Data from Q3**' & '**Data from Q4**' respectively in Annexure - 5 HDD.
- ii. The cloud data present in the phone memory of the questioned mobile phone marked **Q1** was retrieved and soft copy of the same

is enclosed in folder named '**Cloud Data from Q1**' in **Annexure - 5** HDD.

iii. Data present in the questioned SIM cards marked **Q1SIM, Q2SIM, Q3SIM** and **Q4SIM** were retrieved and soft copies of the same are enclosed in folders named '**Data from Q1SIM**', '**Data from Q2SIM**', '**Data from Q3SIM**' & '**Data from Q4SIM**' respectively in **Annexure - 5** HDD.

iv. No useful data could be retrieved from the questioned memory card marked **Q1M**.

v. Data present in the questioned hard disks marked **Q5 & Q6** were retrieved and soft copies of the same are enclosed in folders named '**Data from Q5**' and '**Data from Q6**' respectively in **Annexure - 5** HDD.

vi. Data present in the questioned pen drives marked **Q7 & Q8** were retrieved and soft copies of the same are enclosed in folders named '**Data from Q7**' and '**Data from Q8**' respectively in **Annexure-5** HDD.

254. The report produced by PW94 bearing her signature and office seal was marked as Ext.P 225. She had earlier identified the Annexure 5 (Ext.P4) mentioned in Ext.P225 report. She identified Ext.P4 hard disc in the box also. M.O.40, M.O.40(a), M.O.40(b) were shown to PW94 and identified by her. She identified Redmi mobile phone, sim card and memory card used by Greeshma which are Q1, Q1 Sim, Q1M respectively mentioned in her report. She identified Q2 Samsung mobile phone examined by her and identified M.O.43

and M.O.43(a) SIM Card (Q2 SIM) . She also identified M.O.44 and M.O.44(a) which are Q3 and Q3 SIM respectively shown in Ext.P225. Q4 mobile phone(M.O.5) and Q4 SIM (M.O.5(a)), Q7 pen drive(Ext.P130), Q8 (Ext.P225) were examined by her and referred in Ext. P225.

255. On 2.05.2023, PW94 issued another report, which contains her signature and office seal. The following are the details:

Examination Report No: DD-24/23/B2-419/FSL/23; Dated :

02.05.2023. Details of the Exhibits Received:

Sl. No.	Marking	Device	Details
1	Q1	Mobile Phone	Make : Samsung Model : SM-E236B IMEI 1 : 3579 1727 3259 121 IMEI 2 : 3588 7343 3259 122
	Q1M	Memory Card	Type : micro SD Capacity : 2 GB
2	Q2	CD	Make : hp Capacity : 700 MB

Results of Examination:

- i. Call recordings as stated in the forwarding note could not be retrieved from the phone memory of the questioned mobile phone marked **Q1**.
- ii. Call recordings as stated in the forwarding note was retrieved from the questioned memory card marked **Q1M** and the soft copy

of the same is enclosed in a folder named '**Call recordings from Q1M**' in **Annexure-2** CD.

iii. Call recordings as stated in the forwarding note was retrieved from the questioned CD marked **Q2** and the soft copy of the same is enclosed in a folder named '**Call recordings from Q2**' in **Annexure-2** CD.

256. The report produced by PW94 is marked as Ext.P226. All the data retrieved for Q1M and Q2 are enclosed in Annexure 2-CD, which was prepared by her and the same is identified by PW94 in the court . The CD is marked as Ext.P227. Q1 is the mobile phone examined by her and mentioned in the report . PW94 identified M.O.41 and M.O.41(a) in the box.

257. PW94 also produced yet another report in this crime which was issued by her on 15.05.2023. The following are the details:

Examination Report No:DD-10/23/B2-193/FSL/23, Dated: 15.05.2023

Details of the Exhibits Received:

Sl.No.	Marking	Device	Details
1	Q1	Mobile Phone	Make : Redmi Model : Redmi 9 IMEI 1 : 8647 1205 6283 950 IMEI 2 : 8647 1205 6283 968
	Q1 SIM	SIM Card	Network : Airtel ICCID : 8991 4009 1290 6038 5121

	Q1M	Memory Card	Type : micro SD. Capacity : 1GB
2	Q2	Mobile Phone	Make : Samsung Model : SM - G531H IMEI 1 : 3577 6807 5603 606 IMEI 2 : 3577 6907 5603 604
	Q2SIM	SIM Card	Network : BSNL ICCID : 8991 8000 6140 1316 4400
3	Q3	Mobile Phone	Make : Realme Model : Realme C15 IMEI 1 : 8667 1805 2298 270 IMEI 2 : 8667 1805 2298 262
	Q3 Sim	SIM Card	Network : Airtel ICCID : 8991 0009 0750 5199 206
4	Q4	Mobile Phone	Make : Realme Model : Realme narzo 30 IMEI 1 : 8620 5905 9158 272 IMEI 2 : 8620 5905 9158 264
	Q4SIM	SIM Card	Network : Jio ICCID : 8991 8620 4004 4030 8319
5	Q5	Hard Disk	Make : Seagate Capacity : 1000 GB S/N : WL1KXDZ0
6	Q6	Hard Disk	Make : Western Digital Capacity : 500 GB S/N : WXW1A9727LPV
7	Q7	Pen Drive	Make: San Disk Capacity: 8 GB
8	Q8	Pen Drive	Make: San Disk Capacity: 8 GB

Results of Examination:

- i. Web history about paraquat, as stated in the forwarding note, was retrieved from the phone memory of the questioned mobile phone marked **Q1** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Web history of paraquat from Q1**' in **Annexure- 1** CD.
- ii. Web history about paracetamol, as stated in the forwarding note, was retrieved from the phone memory of the questioned mobile phone marked **Q1** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Web history of paracetamol from Q1**' in **Annexure- 1** CD.
- iii. Searched items from the source google my activity on **28-10-2022**, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q1** and soft copy of the same is enclosed in a folder named '**Screenshot of searched items from Q1**' in **Annexure- 1** CD.
- iv. Searched items, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q1** and soft copy of the same generated by UFED PA is enclosed in a folder named '**Searched item from Q1**' in **Annexure- 1** CD.
- v. Image files named **IMG20211215082749** & **IMG20220521091008** along with file properties, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Image from Q4**' in **Annexure- 1** CD.
- vi. Video files named **VID_20211103_154948**, **VID20211221160829** and **VID20211231083027**, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Video from Q4**' in **Annexure- 1** CD.

vii. Video files named **VID20220621111944**, **VID20220621114420** & **VID20220621123411**, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Video- 1 from Q4**' in **Annexure- 1** CD.

viii. Image file named **IMG20211204135926**, **IMG20211204140441**, **IMG20211204140452**, **IMG20211204140515**, **IMG20211204141721**, **IMG20211204141725**, **IMG20211204141728_01**, **IMG20211204141732** & **IMG20211204141733** along with file properties, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Image- 1 from Q4**' in **Annexure- 1** CD.

ix. The image file named **IMG20220504101050** & video file named **VID-20221029-WA0004**, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Image- video from Q4**' in **Annexure- 1** CD.

x. Image files named **IMG20211223124318**, **IMG20211223124321**, **IMG20211223124328** & **IMG20211223124345** along with file properties, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Image- 2 from Q4**' in **Annexure- 1** CD.

xi. Image files named **IMG20220718094906** & **IMG20220718094913** along with file properties, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of

the same generated by UFED PA is enclosed in a folder named '**Image- 3 from Q4**' in **Annexure- 1** CD.

xii. The image files named **IMG20220822120011**, **IMG20220822120419** & video file named **VID20220822120014**, as stated in the forwarding note, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Image--video from Q4**' in **Annexure- 1** CD.

xiii. Whatsapp chat between **919074171590@ s.whatsapp.net Sharon Raj (owner)** & **918925888533@s.whatsapp.net Mowli M**, on 22-08-2022, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Whatsapp chat on 22-08-2022 from Q4**' in **Annexure- 1** CD.

xiv. Whatsapp chat between **919074171590@ s.whatsapp.net Sharon Raj (owner)** & **918925888533@ s.whatsapp.net Mowli M**, from 14-10-2022 to 18-10-2022, were retrieved from the phone memory of the questioned mobile phone marked **Q4** and softcopy of the same generated by UFED PA is enclosed in a folder named '**Whatsapp chat from 14-10-22 to 18-10-22 from Q4**' in **Annexure- 1** CD.

xv. The lady exposed in the image files named **IMG20211204135926**, **IMG20211204140441**, **IMG20211204140452**, **IMG20211204140515**, **IMG20211204141721**, **IMG20211204141725**, **IMG20211204141728_01**, **IMG20211204141732**, **IMG20211204141733**, **IMG20211215082749**, **IMG20211223124318**, **IMG20211223124321**, **IMG20211223124328**, **IMG20211223124345**, **IMG20220504101050**, **IMG20220521091008**, **IMG20220718094906**, **IMG20220718094913**, **IMG20220822120011**, **IMG20220822120419** & video files named **VID_20211103_154948**, **VID-20221029-WA0004**, **VID20211221160829**, **VID20211231083027**,

VID20220621111944, VID20220621114420, VID20220621123411, VID20220822120014 and the lady exposed in the standard photograph marked **S1** is found to be same.

xvi. The man exposed in the image files named **IMG20211204135926, IMG20211204140441, IMG20211204140452, IMG20211204140515, IMG20211204141721, IMG20211204141725, IMG20211204141728_01, IMG20211204141732, IMG20211204141733, IMG20211215082749, IMG20211223124318, IMG20211223124321, IMG20211223124328, IMG20211223124345, IMG20220504101050, IMG20220521091008, IMG20220718094906, IMG20220718094913, IMG20220822120011, IMG20220822120419** & video files named **VID_20211103_154948, VID-20221029-WA0004, VID20211221160829, VID20211231083027, VID20220621111944, VID20220621114420, VID20220621123411, VID20220822120014** and the man exposed in the standard photograph marked **S_{2a} & S_{2b}** is found to be same.

xvii. CCTV recordings were retrieved from the questioned pen drive marked **Q7** and soft copy of the same is enclosed in a folder named '**Data from Q7**' in **Annexure- 1** CD

xviii. The person exposed in the standard photographs marked **S_{2a} & S_{2b}** and the person riding the bike in the CCTV visuals (Fig- 1 & Fig- 2), retrieved from the questioned pen drive marked **Q7**, is found to be same.

xix. The person exposed in the standard photograph marked **S₃** and the pillion rider in the CCTV visuals (Fig- 1 & Fig- 2), retrieved from the questioned pen drive marked **Q7**, is found to be same.

xx. CCTV recordings were retrieved from the questioned pen drive marked **Q8** and soft copy of the same is enclosed in a folder named '**Data from Q8**' in **Annexure- 1** CD.

xxi. The person exposed in the standard photograph marked **S₃** and person riding the bike in the CCTV visuals (Fig- 3 & Fig- 4), retrieved from the questioned pen drive marked **Q8**, is found to be same.

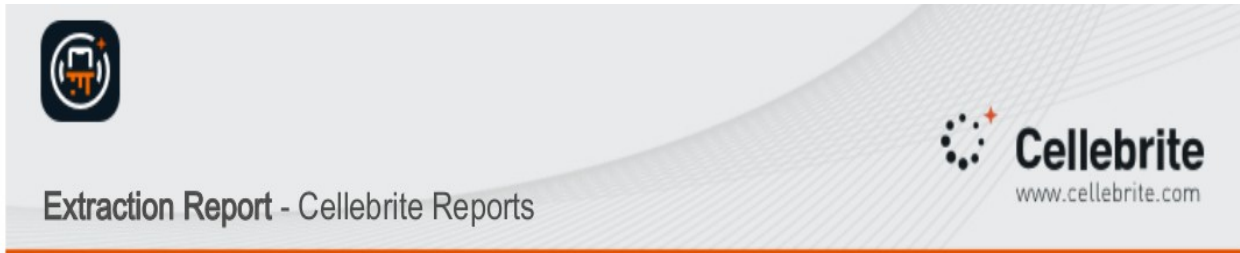
xxii. The person exposed in the standard photographs marked **S_{2a}** & **S_{2b}** and the pillion rider in the CCTV visuals (Fig- 3 & Fig- 4), retrieved from the questioned pen drive marked **Q8**, is found to be same.

xxiii. The vehicle exposed in the standard photograph marked **S₄** and the vehicle seen in the CCTV visuals (Fig- 1 to Fig- 4), retrieved from the questioned pen drives marked **Q7** & **Q8**, are found to be same.

258. The above report is marked as Ext.P228 . Annexure -1 CD referred in Ext.P228 is marked as P229. All folders are contained in Annexure - 1 CD. The M.Os referred were already identified. In addition to that five standard photographs were sent along with forwarding note for comparison. These are photographs referred in Ext.P228 in page No. 8. Ext. 110 series shown to PW94 and identified by her.

259. Ext.P 229(CD) is played in the open court. Folder containing 'Web History of Paraquat from Q1' is marked as Ext.P229(a). The folder was opened and found that it contained a pdf report . After opening the same, extraction report of questioned mobile phone Q1 is seen. Q1 is M.O.40 phone belonged to A1. The search was done on 14.10.2022 at 01:56:08 (UTC + 0). That means

5 hours 30 minutes to be added to 01:56:08. Then the time, PW94 deposited, will be 7.26 a.m on 14.10.2022. There were two searches. By using this link, the user of mobile phone – Q1 (M.O.40) searched and had the following search results:



Web History (2)

#	Title	URL	Last Visited	Visits	Usage Pattern	Additional Info	Source Info	Deleted
1	Paraquat - Wikipedia	https://en.m.wikipedia.org/wiki/Paraquat	14-10-2022 01:56:08(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006 C3MIL.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x62235 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:	
2	CDC Facts about Paraquat	https://emergency.cdc.gov/agent/paraquat/basics/facts.asp	14-10-2022 01:54:39(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006 C3MIL.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x62256 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:	

The above 'Extraction Report - Cellebrite Reports' is marked as Ext.P229(b). **It is proved that Greeshma by using her mobile phone (M.O.40-Q1) searched 'https://en.m.wikipedia.org/wiki/paraquat' about paraquat production, reaction, herbicide use, reactivity and toxicity. In the toxicity search, Greeshma learned from the above site that paraquat is toxic to humans by the oral route and moderately toxic through the skin, the mortality rate is estimated between 60% and 90% and pure paraquat when ingested, is highly toxic to mammals including humans, causing severe inflammation and potentiality leading to severe lung damage. (Eg: irreversible pulmonary fibrosis, Acute Respiratory Distress Syndrome and death. It is proved from the column No. 2 of Ext. P229(b), CDC/facts about paraquat that this search was made at 7.24 a.m. on 14.10.2022 from the mobile phone of Greeshma (Q1-MO 40). The fact that MO40-Q1 is belonged to Greeshma, is not disputed. So, it is proved, 2 hours prior to the arrival of Sharon at her home, she had made preparation and formed intention for the commission of the offence of murder. It is proved that 2 hours before the occurrence Greeshma had**

motive to poison Sharon. At 7.43 a.m. , as per Ext.P229(a2) message Greeshma had invited Sharon to her home and by that time she had learned about the administration of paraquat and its impact.

260. **Ext.P229(c) is the wikipedia page, wikipedia.org. wiki-paraquat. It is proved that Greeshma(the customer of Q1) searched the information that lung injury is a main feature of poisoning; Liver, heart, lung and kidney failure can occur within several days to weeks that can lead to death upto 30 days after ingestion. This search will prove the fact that Greeshma did not anticipate or intent a sudden death of Sharon at her house, but to kill him gradually with poison.**

261. The customer has searched, PW94 deposed, the information about, 'use in suicide and murder', the indiscriminate paraquat murders, which occurred in Japan in 1985, were carried out using paraquat as a poison, paraquat was used in the UK in 1981 by a woman who poisoned her husband and American serial killer [Steven David Catlin](#) killed two of his wives and his adoptive mother with paraquat between 1976 and 1984 . The second search in Ext.P229(b) in URL column is '<https://emergency.cdc.gov/>

[agent/paraquat/basics/facts.asp](#)'. This link was searched by Greeshma from her mobile phone, Q1 user as per the report of PW94. **It is proved that customer of Q1 phone had gathered information about, 'Key points ; paraquat is a toxic chemical that is commonly used as a herbicide (plant killer), swallowing paraquat is the most likely way to be poisoned, signs and symptoms depend on the amount, how someone was exposed and how long they were exposed, if you were exposed, get medical care immediately'. It further shows that Greeshma learned that paraquat is a toxic chemical which can be used for poisoning.**

262. PW94 deposed that Greeshma has gathered information as to how it works. **PW94 further deposed that Greeshma has gathered information that Paraquat causes direct damage when it comes into contact with the lining of the mouth, stomach, or intestines. Greeshma has also gathered knowledge that after paraquat enters the body, it spreads to all areas of the body, paraquat causes toxic chemical reactions to occur throughout many parts of the body, mostly the lungs, liver, and kidneys. It shows Greeshma knew that by applying the toxic chemical it will destroy the**

lungs, liver and kidneys of Sharon. The page by name, “cdc.gov/chemical-emergencies/chemical-fact-sheets/paraquat.html” is marked as Ext.P229 (e).

263 PW94 deposed that this is the folder about, ‘web history of paracetamol from Q1’. The folder is marked as Ext.P229(f). When the folder is opened, it was found to be a pdf report called “Extraction Report”. The page is marked as Ext.P229(g), which is as follows:

Web History (23)

#	Title	URL	Last Visited	Visits	Usage Pattern	Additional Info	Source Info
1	Flavoxate and Paracetamol Interactions - Drugs.com	https://www.drugs.com/drug-interactions/flavoxate-with-paracetamol-1092-0-11-2744.html	22-08-2022 01:37:56(UTC+0)			Artifact Family: Source Repository Path:	Source: Chrome Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C1E8 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
2	Flavoxate Side Effects Dosage Precautions Warnings Medicine	https://www.medicoverhospitals.in/medicine/flavoxate	22-08-2022 01:37:09(UTC+0)			Artifact Family: Source Repository Path:	Source: Chrome Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C209 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
3	Flavoxate Uses, Side Effects & Warnings - Drugs.com	https://www.drugs.com/mtrm/flavoxate.html	22-08-2022 01:37:00(UTC+0)			Artifact Family: Source Repository Path:	Source: Chrome Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C22A (Table: visits, urls; Size: 1081344 bytes) Service Identifier:

4	Flavoxate Interactions Checker - Drugs.com	https://www.drugs.com/drug-interactions/flavoxate.html	22-08-2022 01:35:54(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C24A (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
5	Flavoxate Uses, Side Effects & Warnings - Drugs.com	https://www.drugs.com/mtm/flavoxate.html	22-08-2022 01:34:53(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C269 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
6	Flavoxate: MedlinePlus Drug Information	https://medlineplus.gov/druginfo/meds/a682706.html	22-08-2022 01:34:23(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C28A (Table: visits, urls; Size: 1081344 bytes) Service Identifier:

7	Flavoxate: MedlinePlus Drug Information	https://medlineplus.gov/druginfo/meds/a682706.html	22-08-2022 01:33:41(UTC+ 0)			Artifact Family: Source Repository Path:	Source: Chrome Account: <hr/> Source Extraction: File System (2) Source file: Xiaomi_M2006 C3MI1.zip/data/ data/com.andr oid.chrome/ap p_chrome/Defa ult/History : 0x2C2AB (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
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8	Opioid overdose	https://www.who.int/news-room/fact-sheets/detail/opioid-overdose	22-08-2022 00:21:32(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006 C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C2CB (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
9	The toxicity of drugs used for suicide - PubMed	https://pubmed.ncbi.nlm.nih.gov/8517181/	22-08-2022 00:20:45(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006 C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C2EC (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
10	Substances used in completed suicide by overdose in Toronto: an observational study of coroner's data - PubMed	https://pubmed.ncbi.nlm.nih.gov/22398005/	22-08-2022 00:18:26(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006 C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C30D (Table: visits, urls; Size: 1081344 bytes) Service Identifier:

11	Drug Overdose - Causes, Symptoms, Diagnosis, First Aid Measures, Treatment & Prevention	https://www.medindia-net.cdn.ampproject.org/v/s/www.medindia.net/amp/patients/patientinfo/drug-overdose.htm?amp_gsa=1&amp_js_v=a9&usqp=mq331AQKKAFQArABIACAw%3D%3D#amp_tf=From%20%251%24s&aoh=16611272439439&referrer=https%3A%2F%2Fwww.google.com&ampshare=https%3A%2F%2Fwww.medindia.net%2Fpatients%2Fpatientinfo%2Fdrug-overdose.htm	22-08-2022 00:16:48(UTC+0)			Artifact Family: Source Repository Path:	Source: Chrome Account: <hr/> Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C32E (Table: visits, urls, Size: 1081344 bytes) Service Identifier:
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12	Drug Overdose - Causes, Symptoms, Diagnosis, First Aid Measures, Treatment & Prevention	https://www-medindia-net.cdn.ampproject.org/v/s/www.medindia.net/amp/patients/patientinfo/drug-overdose.htm?amp_gsa=1&amp_js_v=a9&usqp=mq331AQKKAFQArABIIACAw%3D%3D#amp_tf=From%20%251%24s&aoh=16611272439439&referrer=https%3A%2F%2Fwww.google.com	22-08-2022 00:16:47(UTC+0)			Artifact Family: Source Repository Path: Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C661 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
13	Accidental overdose of medicine healthdirect	https://www-healthdirect-gov-au.cdn.ampproject.org/v/s/www.healthdirect.gov.au/amp/article/accidental-overdose-of-medicines?amp_gsa=1&amp_js_v=a9&usqp=mq331AQKKAFQArABIIACAw%3D%3D#amp_tf=From%20%251%24s&aoh=16611272439439&referrer=https%3A%2F%2Fwww.google.com&ampshare=https%3A%2F%2Fwww.healthdirect.gov.au%2Faccidental-overdose-of-medicines	22-08-2022 00:15:29(UTC+0)			Artifact Family: Source Repository Path: Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C67E (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
14	Accidental overdose of medicine healthdirect	https://www-healthdirect-gov-au.cdn.ampproject.org/v/s/www.healthdirect.gov.au/amp/article/accidental-overdose-of-medicines?amp_gsa=1&amp_js_v=a9&usqp=mq331AQKKAFQArABIIACAw%3D%3D#amp_tf=From%20%251%24s&aoh=16611272439439&referrer=https%3A%2F%2Fwww.google.com	22-08-2022 00:15:29(UTC+0)			Artifact Family: Source Repository Path: Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C6A1 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:

15	Overdose: MedlinePlus Medical Encyclopedia	https://medlineplus.gov/ency/article/007287.htm	22-08-2022 00:15:19(UTC+0)			Artifact Family: Source Repository Path:	Source Account: <hr/> Source Extraction: File System (2) Source file: Xiaomi_M2006 C3M11.zip/data/ data/com.andr oid.chrome/ap p_chrome/Defa ult/History : 0x2C6BE (Table: visits, uris; Size: 1081344 bytes) Service Identifier:
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16	AIIMS NEW	https://www.aiims.edu/en/component/content/article/79-about-aiims/6905-national-poison-information-centre-24x7.html	22-08-2022 00:14:09(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C6DF (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
17	Paracetamol Mixing Do Not Take Paracetamol With These Drinks Drinks To Avoid Mixing With Paracetamol	https://m-timesofindia-com.cdn.ampproject.org/v/s/m.timesofindia.com/life-style/health-fitness/health-news/do-not-take-paracetamol-with-these-drinks/amp_etphotostory/88976878.cms?amp_gsa=1&amp_js_v=a9&usqp=mq331AQKKAFQArABIIACAw%3D%3D#amp_tf=From%20%251%24s&aoh=16611266359324&csi=1&referrer=https%3A%2F%2Fwww.google.com	22-08-2022 00:12:42(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C700 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
18	Paracetamol overdose in suicidal attempt patients - PubMed	https://pubmed.ncbi.nlm.nih.gov/15217182/	22-08-2022 00:12:25(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C721 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:

19	Acetaminophen and salicylate serum levels in patients with suicidal ingestion or altered mental status - PubMed	https://pubmed.ncbi.nlm.nih.gov/8765104/	22-08-2022 00:12:18(UTC+0)			Artifact Family: Source Repository Path:	Source Account: <hr/> Source Extraction: File System (2) Source file: Xiaomi_M2006C3MII.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C741 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
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20	Paracetamol overdose in suicidal attempt patients - PubMed	https://pubmed.ncbi.nlm.nih.gov/15217182/	22-08-2022 00:10:44(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file:
23	Paracetamol for adults: painkiller to treat aches, pains and fever - NHS	https://www.nhs.uk/medicines/paracetamol-for-adults/#:~:text=Taking%201%20or%202%20extra,before%20taking%20any%20more%20pa racetamol.	22-08-2022 00:04:15(UTC+0)			Artifact Family: Source Repository Path:	Source Account: Source Extraction: File System (2) Source file: Xiaomi_M2006C3MIi.zip/data/data/com.android.chrome/app_chrome/Default/History : 0x2C7C3 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:
							p_chrome/Default/History : 0x2C7A2 (Table: visits, urls; Size: 1081344 bytes) Service Identifier:

The above Ext.P229(g) contains 23 different searches about paracetamol made on 22.08.22 at 00:04:15 (UTC + 0). Indian Standard Time is 5.34 AM on 22.08.2022 . From that time onwards 23 searches were seen made till 01:37:56 (7.07 AM). All these searches were seen made from Q1(MO40) device phone. The above six pages in Ext.P229(g) containing the information gathered by Q1 user are seen in this document. **Ext.P229(g) web search history that on the date of juice challenge at Kuzhithura bridge, Greeshma had studied in detail about the paracetamol , side effects, dosage, interactions, opioid overdose, details of toxicity of drugs used for suicide, substances used in completed suicide by overdose in Toronto, symptoms diagnosis, treatment and prevention, accidental overdose of medicines, paracetamol mixing , what are the drinks with which one does not take with paracetamol, drinks to avoid mixing with paracetamol, paracetamol poisoning, etc.is a circumstance** The search No. 22 as shown above in Ext.P229(g), the information gathered by Greeshma was about paracetamol poisoning and paracetamol overdose. The name of link is

<https://patient.info/doctor/paracetamol-poisoning> . This link is seen opened by the Q1 user. The search No. 20 was made by Q1 user about paracetamol overdose in suicidal attempt Patients - Pub Med. The name of link is "<https://pubmed.ncbi.nlm.nih.gov/15217182/> . This link is opened in the court. It is seen that Q1 user had gathered information about paracetamol overdose in suicidal attempt patients. **So, it is proved that Greeshma researched as to how paracetamol can be used as a poison and what are the drinks with which the paracetamol is to be added while administering it. It is also proved that on the date of juice challenge, Greeshma made 23 searches so as to mix the paracetamol with slice juice . It is proved that she bought two bottles of slice juice on 22.08.2022 with an intention to mix paracetamol in it and to poison Sharon. It is also to be believed that at the bathroom of CSI Medical Mission College, Neyyoor , Greeshma mixed paracetamol in the slice juice on 22.08.2022 and that is why soon after having it Sharon vomited the same. This is a circumstance because the same modus operandi was applied by Greeshma on 14.10.2022 also. This is more relevant because she had earlier made attempt to commit murder of**

Sharon. This unsuccessful bid was taken as an opportunity by Greeshma to scold him for having vomited and took it as yet another challenge, but this time with kashayam laced with paraquat. This is also a circumstance to believe that the google searches were with definite intention to commit murder and it was in fact a preparation of murder. It was not for committing suicide by Greeshma on 14.10.22 or for fever on 22.8.22 or innocent search as contended by learned senior advocate because both the dates, 22.08.2022 and 14.10.2022 are the dates on which she administered poison to Sharon. Interestingly, Greeshma has not conducted any search about the impact of lizol with which she attempted to commit suicide. An ordinary prudent man will not make 23 searches spending about two hours before taking paracetamol for fever. She being post graduate need not to do such a search except for the purpose of the motive which she formed in her mind. It shows that detailed studies were made only to administer poison to Sharon and that is why she deleted all these search histories.

264. The folder name, "Searched item from Q1" is shown to PW94. The same is marked as Ext.P229(h). The link is <https://pubmed.ncbi.nlm.nih.gov/15217182/>. The said file is opened in the court. The extraction report is as follows:

Extraction Report - Cellebrite Reports

Searched Items (2)

#	Timestamp	Source	Value	Parameters	Origin	Source Extraction
1		Google Maps Source file: Xiaomi_M2006C3MII.zip /data/data/com.google.a ndroid.apps.maps/files/n ew_recent_history_cach e_search.cs : 0x645 (Size: 1888 bytes)	GOLDEN CASTLE Inn Lodge, Waterfalls Lodge, Tiruparapu, Tamil Nadu Search Results: Waterfalls Lodge, Tiruparapu, Tamil Nadu		Default	File System (2)
2		Google Maps Source file: Xiaomi_M2006C3MII.zip /data/data/com.google.a ndroid.apps.maps/files/n ew_recent_history_cach e_search.cs : 0x57F (Size: 1888 bytes)	Tiruparapu, Tamil Nadu Search Results: Tamil Nadu		Default	File System (2)

The above report is marked as Ext.P229(i). This search was about two places, in google map with the Q1 phone, namely Golden castle inn lodge, Thriparappu, Tamilnadu. The two places are in Thripparapu. The folder by name, "Screenshot of searched item

from Q1” is shown to PW94. The same is marked as Ext.P229(j).

The Ext.P229(j) is as follows:

Extraction Report - Cellebrite Reports			
Data Files (2)			
Images (2)			
#	File Info	Additional file info	
1	Name: IMG20220718094906.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094906.jpg MD5: 1e87a50c1cddd1aa155a20921532e8d3	Size (bytes): 2673824 Modified: 04-10-2022 07:41:56(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094906.jpg : 0x0 (Size: 2673824 bytes)	Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 18-07-2022 09:49:06 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
2	Name: IMG20220718094913.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094913.jpg MD5: 3042627565348eefc695f3b31c0a799b	Size (bytes): 2589503 Modified: 04-10-2022 07:41:56(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094913.jpg : 0x0 (Size: 2589503 bytes)	Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 18-07-2022 09:49:13 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0

The above Ext.P229(j) will prove the fact that before Sharon and Greeshma occupying Golden Castle Inn at Thripparappu and also visit of various places at Thripparappu she had made google searches in advance. This will prove the habit of Greeshma that

whenever she steps in, she used to do google search. Hence this has become relevant and yet another circumstance. By this, it is proved that it was Greeshma who took initiative for the visit at resort for having sex with Sharon.

265. On 28.10.22 at 14:52:24 (UTC +1), the Q1 user had searched in google using the account GREESHMS SS, using the Q1 Redme mobile phone about how to retrieve whatsapp chats, kadhalikalpam leham, how to retrieve deleted messages on whatsapp, how to view backup whatsapp message in google drive, how to open backup data in google drive. This is the page No. 9913 of the previous report in the folder, cloud data from Q1 in Ext.P4 hard disc. This page is marked as Ext.P229(k).

5	28-10-2022 18:29:52(UTC+1)	Google My Activity	how to open backup data in google drive Search Results: https://www.youtube.com/results?search_query=how+to+open+backup+data+in+google+drive Searched In: YouTube	Devices: Android Google Product: YouTube	Default	Manually decoded: Yes	Account: GREESHMS S S
6	28-10-2022 18:14:55(UTC+1)	Google My Activity	how to view backup whatsapp messages in google drive Search Results: https://www.youtube.com/results?search_query=how+to+view+backup+whatsapp+messages+in+google+drive Searched In: YouTube	Devices: Android Google Product: YouTube	Default	Manually decoded: Yes	Account: GREESHMS S S
7	28-10-2022 18:11:18(UTC+1)	Google My Activity	how to retrieve deleted messages on whatsapp Search Results: https://www.youtube.com/results?search_query=how+to+retrieve+deleted+messages+on+whatsapp Searched In: YouTube	Devices: Android Google Product: YouTube	Default	Manually decoded: Yes	Account: GREESHMS S S
8	28-10-2022 14:21:37(UTC+1)	Google My Activity	kadhalikalpam lehyam Search Results: https://www.google.com/search?q=kadhalikalpam+lehyam Searched In: Search	Devices: Redmi 9 Google Product: Search	Default	Manually decoded: Yes	Account: GREESHMS S S

9913

9	28-10-2022 13:52:24(UTC+1)	Google My Activity	how to retrieve whatsapp chat Search Results: https://www.youtube.com/results?search_query=how+to+retrieve+whatsapp+chat Searched In: YouTube	Devices: Android Google Product: YouTube	Default	Manually decoded: Yes	Account: GREESHMS S S
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266. It is proved by the above Ext.P229(k) searches made by Greeshma from her mobile phone that on 28.10.2022 she made google search how to open back up data in google drive, how to view back up whatsapp messages in google drive, how to view whatsapp messages in google drive, how to retrieve deleted messages on whatsapp and how to retrieve whatsapp chat. The data is important because by that time Sharon died and PW1 lodged FIS

before Police and Police had visited the house of Greeshma and she got information that she will be interrogated in connection with the death of Sharon and her mobile phone will be seized. This is an important circumstance because Greeshma wanted to conceal the evidence of crime. It proves that she had deleted whatsapp messages which will be used by Police to trace the evidence of abduction and poisoning. All the whatsapp messages were delted by Greeshma and all these were retrieved by PW94. It is proved by Ext.P229(k) that Greeshma deleted objectionable messages and she was eager to know whether Police will seize her mobile, open back up data, retrieve the deleted whatsapp messages and view messages which she deleted to conceal the evidence of crime. It is proved by Ext.P229(k) that she had deleted objectionable messages which were available in her mobile phone and that is why she made google search as to how to retrieve deleted messages on whatsapp. It further proves that apart from Ext.P229(a1 series) and Ext.P230 series, there were number of objectionable messages which were deleted by Greeshma. It is also proved by Ext.P229(k) search No. 8 that she

made quarries about 'kadaleekalpam lehyam' because she had already told to Police that she gave 'kadaleekalpam lehyam' to Sharon . This is yet another circumstance because Police wanted to know what was the poison administered to Sharon and Greeshma had prepared in advance to give false information to Police that it was Kadaleekalpam lehyam given to Sharon.

267. The folder by name, "Image from Q4" (MO5) is shown to PW94. The same is marked as Ext.P229(l). The file is opened in the court. The extraction report seen in the screen was shown to PW94. The same is marked as Ext.P229(m). There are two pages in it. Ext.P229(m) are as follows:

Extraction Report - Cellebrite Reports

Data Files (8)

Images (8)

#	File Info	Additional file info
1	MD5: 1b2f4d3513d72abe6b81c54efd346227 Duplicates(3)	Size (bytes): 3238697 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 15-12-2021 08:27:49 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
1(1)	Name: IMG20211215082749.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211215082749.jpg	Modified: 04-10-2022 07:40:45(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211215082749.jpg : 0x0 (Size: 3238697 bytes)
1(2)	Name: IMG20211215082749.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211215082749.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20211215082749.jpg : 0x0 (Size: 3238697 bytes)
1(3)	Name: IMG20211215082749.jpg Path: Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211215082749.jpg	Modified: 04-10-2022 07:40:45(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211215082749.jpg : 0x0 (Size: 3238697 bytes)
1(4)	Name: IMG20211215082749.jpg Path: Media/Internal shared storage/SR/IMG20211215082749.jpg	Created: 04-10-2022 13:10:45 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211215082749.jpg : 0x0 (Size: 3238697 bytes)

2	MD5: fcfa7ca7051c882b83093faf4c8cbb40 Duplicates(3)	Size (bytes): 7171913 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 21-05-2022 09:10:08 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
2(1)	Name: IMG20220521091008.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220521091008.jpg	Modified: 04-10-2022 07:41:08(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220521091008.jpg : 0x0 (Size: 7171913 bytes)
2(2)	Name: IMG20220521091008.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20220521091008.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20220521091008.jpg : 0x0 (Size: 7171913 bytes)

2(3)	Name: IMG20220521091008.jpg Path: Detected Model_RMX2156.zip/data/media/0/SR/IMG20220521091008.jpg	Modified: 04-10-2022 07:41:08(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/SR/IMG20220521091008.jpg : 0x0 (Size: 7171913 bytes)
2(4)	Name: IMG20220521091008.jpg Path: Media/Internal shared storage/SR/IMG20220521091008.jpg	Created: 04-10-2022 13:11:08 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20220521091008.jpg : 0x0 (Size: 7171913 bytes)

268. Another picture which contains one male and female standing near to a bridge was shown to PW94. The capture date of the photo is 21.05.2022. (Ext.P4(b)).

269. The file by name "Video from Q4" is marked as Ext.P229(n). This file is played in the open court. The "Extraction Report" was seen and the same was marked as Ext.P229(O). It contains video files. The three video files mainly relied by the prosecution are VID20211103154948.mp4 (Ext.P4(c), VID20211221160829.mp4 (Ext.P4(d)) and VID20211231083027.mp4 (Ext. P4(e)). The Ext.P229(O) having two pages are as follows:

Extraction Report - Celebrite Reports

Data Files (12)

Videos (12)

#	File Info	Additional file info
1	MD5: 24c7a35d6708b4e4e3d5e1dd5d99e461 Duplicates(3)	Size (bytes): 8265331
1(1)	Name: VID_20211103_154948.mp4 Path: Detected Model_RMX2156.zip/sdcard/SR/VID_20211103_154948.mp4	Modified: 04-10-2022 07:44:52(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/VID_20211103_154948.mp4 : 0x0 (Size: 8265331 bytes)
1(2)	Name: VID_20211103_154948.mp4 Path: Google Photos sharonrajrko@gmail.com/local media/VID_20211103_154948.mp4	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/VID_20211103_154948.mp4 : 0x0 (Size: 8265331 bytes)
1(3)	Name: VID_20211103_154948.mp4 Path: Detected Model_RMX2156.zip/data/media/0/SR/VID_20211103_154948.mp4	Modified: 04-10-2022 07:44:52(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/SR/VID_20211103_154948.mp4 : 0x0 (Size: 8265331 bytes)
1(4)	Name: VID_20211103_154948.mp4 Path: Media/Internal shared storage/SR/VID_20211103_154948.mp4	Created: 04-10-2022 13:14:52 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/VID_20211103_154948.mp4 : 0x0 (Size: 8265331 bytes)
2	MD5: 7164e459a1bb6c16c359f96b534f674a Duplicates(3)	Size (bytes): 49089901
2(1)	Name: VID20211221160829.mp4 Path: Detected Model_RMX2156.zip/sdcard/SR/VID20211221160829.mp4	Modified: 04-10-2022 07:46:28(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/VID20211221160829.mp4 : 0x0 (Size: 49089901 bytes)

2(2)	Name: VID20211221160829.mp4 Path: Google Photos sharonrajko@gmail.com/local media/VID20211221160829.mp4	Source Extraction Source file	File System (1) Google Photos sharonrajko@gmail.com/local media/VID20211221160829.mp4 : 0x0 (Size: 49089901 bytes)
2(3)	Name: VID20211221160829.mp4 Path: Detected Model_RMX2156.zip/data/media/0/ SR/VID20211221160829.mp4	Modified: Source Extraction Source file	04-10-2022 07:46:28(UTC+0) File System (1) Detected Model_RMX2156.zip/data/media/0/ SR/VID20211221160829.mp4 : 0x0 (Size: 49089901 bytes)
2(4)	Name: VID20211221160829.mp4 Path: Media/Internal shared storage/SR/VID20211221160829. mp4	Created: Source Extraction Source file	04-10-2022 13:16:28 Advanced Logical Media/Internal shared storage/SR/VID20211221160829. mp4 : 0x0 (Size: 49089901 bytes)
3	MD5: 87fb5b34c6f0f2bc566e7c0b119258 87 Duplicates(3)	Size (bytes):	16935647

3(1)	Name: VID20211231083027.mp4 Path: Detected Model_RMX2156.zip/sdcard/SR/VI D20211231083027.mp4	Modified: Source Extraction Source file	04-10-2022 07:46:34(UTC+0) File System (2) Detected Model_RMX2156.zip/sdcard/SR/VI D20211231083027.mp4 : 0x0 (Size: 16935647 bytes)
3(2)	Name: VID20211231083027.mp4 Path: Google Photos sharonrajko@gmail.com/local media/VID20211231083027.mp4	Source Extraction Source file	File System (1) Google Photos sharonrajko@gmail.com/local media/VID20211231083027.mp4 : 0x0 (Size: 16935647 bytes)
3(3)	Name: VID20211231083027.mp4 Path: Detected Model_RMX2156.zip/data/media/0/ SR/VID20211231083027.mp4	Modified: Source Extraction Source file	04-10-2022 07:46:34(UTC+0) File System (1) Detected Model_RMX2156.zip/data/media/0/ SR/VID20211231083027.mp4 : 0x0 (Size: 16935647 bytes)
3(4)	Name: VID20211231083027.mp4 Path: Media/Internal shared storage/SR/VID20211231083027. mp4	Created: Source Extraction Source file	04-10-2022 13:16:34 Advanced Logical Media/Internal shared storage/SR/VID20211231083027. mp4 : 0x0 (Size: 16935647 bytes)

The above Ext.P229(o) are the videos in which Sharon and Greeshma were seen and Exts.P4(c), P4(d) and P4(e) are there in

Ext.P229(o). The CD - Ext.P229 (Ext.P4(c) & (d) were played in the open court and PW94 after seeing the same deposed that this is a man and girl travelling by motorcycle. The CD (Ext. P4(e)) was played. Both man and girl are seen travelling in a bus.

270. "Video - 1 from Q4" was shown to PW94 and the same was marked as Ext.P229(p). When the file is opened it was found to contain three videos. VID20220621111944.mp4 & VID20220621114420.mp4,VID20220 621123411.mp4 are the files which are shown to her. The same are Exts.P4(i), P4(j) and P4(k). The Ext.P229(p) is as follows:

Extraction Report - Cellebrite Reports			
Data Files (12)			
Videos (12)			
#	File Info	Additional file info	
1	MD5: 40a1c9a8ec6e1b9dc388b003b4c1bf91 Duplicates(3)	Size (bytes):	93339452
1(1)	Name: VID20220621111944.mp4 Path: Detected Model_RMX2156.zip/sdcard/SR/VID20220621111944.mp4	Modified: Source Extraction Source file	04-10-2022 07:47:39(UTC+0) File System (2) Detected Model_RMX2156.zip/sdcard/SR/VID20220621111944.mp4 : 0x0 (Size: 93339452 bytes)
1(2)	Name: VID20220621111944.mp4 Path: Google Photos sharonrajrko@gmail.com/local media/VID20220621111944.mp4	Source Extraction Source file	File System (1) Google Photos sharonrajrko@gmail.com/local media/VID20220621111944.mp4 : 0x0 (Size: 93339452 bytes)
1(3)	Name: VID20220621111944.mp4 Path: Detected Model_RMX2156.zip/data/media/0/SR/VID20220621111944.mp4	Modified: Source Extraction Source file	04-10-2022 07:47:39(UTC+0) File System (1) Detected Model_RMX2156.zip/data/media/0/SR/VID20220621111944.mp4 : 0x0 (Size: 93339452 bytes)
1(4)	Name: VID20220621111944.mp4 Path: Media/Internal shared storage/SR/VID20220621111944. mp4	Created: Source Extraction Source file	04-10-2022 13:17:39 Advanced Logical Media/Internal shared storage/SR/VID20220621111944. mp4 : 0x0 (Size: 93339452 bytes)
2	MD5: 649b943a0758778483950e53ca850fab Duplicates(3)	Size (bytes):	22163424
2(1)	Name: VID20220621114420.mp4 Path: Detected Model_RMX2156.zip/sdcard/SR/VID20220621114420.mp4	Modified: Source Extraction Source file	04-10-2022 07:47:47(UTC+0) File System (2) Detected Model_RMX2156.zip/sdcard/SR/VID20220621114420.mp4 : 0x0 (Size: 22163424 bytes)

2(2)	Name: VID20220621114420.mp4 Path: Google Photos sharonrajko@gmail.com/local media/VID20220621114420.mp4	Source Extraction Source file	File System (1) Google Photos sharonrajko@gmail.com/local media/VID20220621114420.mp4 : 0x0 (Size: 22163424 bytes)
2(3)	Name: VID20220621114420.mp4 Path: Detected Model_RMX2156.zip/data/media/0/ SR/VID20220621114420.mp4	Modified: Source Extraction Source file	04-10-2022 07:47:47(UTC+0) File System (1) Detected Model_RMX2156.zip/data/media/0/ SR/VID20220621114420.mp4 : 0x0 (Size: 22163424 bytes)
2(4)	Name: VID20220621114420.mp4 Path: Media/Internal shared storage/SR/VID20220621114420. mp4	Created: Source Extraction Source file	04-10-2022 13:17:47 Advanced Logical Media/Internal shared storage/SR/VID20220621114420. mp4 : 0x0 (Size: 22163424 bytes)
3	MD5: 2b60243e32d4f4d93d43d39e05c8 ed11 Duplicates(3)	Size (bytes):	30708841

3(1)	Name: VID20220621123411.mp4 Path: Detected Model_RMX2156.zip/sdcard/SR/VI D20220621123411.mp4	Modified: Source Extraction Source file	04-10-2022 07:48:07(UTC+0) File System (2) Detected Model_RMX2156.zip/sdcard/SR/VI D20220621123411.mp4 : 0x0 (Size: 30708841 bytes)
3(2)	Name: VID20220621123411.mp4 Path: Google Photos sharonrajko@gmail.com/local media/VID20220621123411.mp4	Source Extraction Source file	File System (1) Google Photos sharonrajko@gmail.com/local media/VID20220621123411.mp4 : 0x0 (Size: 30708841 bytes)
3(3)	Name: VID20220621123411.mp4 Path: Detected Model_RMX2156.zip/data/media/0/ SR/VID20220621123411.mp4	Modified: Source Extraction Source file	04-10-2022 07:48:07(UTC+0) File System (1) Detected Model_RMX2156.zip/data/media/0/ SR/VID20220621123411.mp4 : 0x0 (Size: 30708841 bytes)
3(4)	Name: VID20220621123411.mp4 Path: Media/Internal shared storage/SR/VID20220621123411. mp4	Created: Source Extraction Source file	04-10-2022 13:18:07 Advanced Logical Media/Internal shared storage/SR/VID20220621123411. mp4 : 0x0 (Size: 30708841 bytes)

The CD (Ext.P4(i)) is played in the open court. This is a man and girl walking in a tourist place, PW94 deposed. The CD (Ext.P4(j)) is played in the open court. This is also man and woman walking in beach. When the CD (Ext.P4(k)) is played, the same man and girl were found walking in a tourist village, PW94 deposed.

271. This is “Image-1 from Q4” . The same is marked as Ext. P229(Q). The file is opened and 9 image files are seen. All these are pictures taken at a church, both inside and outside taken on 4.12.2021. These are Exts. P4(l) to P4(r).Ext.P229(Q) is as follows:

Extraction Report - Cellebrite Reports

Data Files (3)

Videos (3)

#	File Info	Additional file info
1	MD5: 8865e40e64dda5de011c23fd82e80def Duplicates(2)	Size (bytes): 2416123 Attachments: 1 Attachment source: WhatsApp (1)
1(1)	Name: VID-20221029-WA0004.mp4 Path: Detected Model_RMX2156.zip/data/media/0/ Android/media/com.whatsapp/Wha tsApp/Media/WhatsApp Video/Sent/VID-20221029- WA0004.mp4	Modified: 29-10-2022 05:37:25(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/ Android/media/com.whatsapp/Wha tsApp/Media/WhatsApp Video/Sent/VID-20221029- WA0004.mp4 : 0x0 (Size: 2416123 bytes)
1(2)		

2(1)	Name: IMG20211204140441.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204140441.jpg	Modified: 04-10-2022 07:40:36(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211204140441.jpg : 0x0 (Size: 2766450 bytes)
2(2)	Name: IMG20211204140441.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204140441.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20211204140441.jpg : 0x0 (Size: 2766450 bytes)

2(3)	Name: IMG20211204140441.jpg Path: Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204140441.jpg	Modified: 04-10-2022 07:40:36(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204140441.jpg : 0x0 (Size: 2766450 bytes)
2(4)	Name: IMG20211204140441.jpg Path: Media/Internal shared storage/SR/IMG20211204140441.jpg	Created: 04-10-2022 13:10:36 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211204140441.jpg : 0x0 (Size: 2766450 bytes)
3	MD5: 2fc18692b0cb82266e8d787f73b571a3 Duplicates(3)	Size (bytes): 3130147 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:04:52 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
3(1)	Name: IMG20211204140452.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204140452.jpg	Modified: 04-10-2022 07:40:37(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211204140452.jpg : 0x0 (Size: 3130147 bytes)
3(2)	Name: IMG20211204140452.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204140452.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20211204140452.jpg : 0x0 (Size: 3130147 bytes)

Data Files (36)

Images (36)

#	File Info	Additional file info
1	MD5: a65d813162377888bf84f2da4d245e5 Duplicates(3)	Size (bytes): 3406898 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 13:59:26 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
1(1)	Name: IMG20211204135926.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204135926.jpg	Modified: 04-10-2022 07:40:36(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211204135926.jpg : 0x0 (Size: 3406898 bytes)
1(2)	Name: IMG20211204135926.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204135926.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20211204135926.jpg : 0x0 (Size: 3406898 bytes)
1(3)	Name: IMG20211204135926.jpg Path: Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211204135926.jpg	Modified: 04-10-2022 07:40:36(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211204135926.jpg : 0x0 (Size: 3406898 bytes)
1(4)	Name: IMG20211204135926.jpg Path: Media/Internal shared storage/SR/IMG20211204135926.j pg	Created: 04-10-2022 13:10:36 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211204135926.j pg : 0x0 (Size: 3406898 bytes)
2	MD5: be20ad8c6e61579fd76a5b71422d67ae Duplicates(3)	Size (bytes): 2766450 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:04:41 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0

3(3)	Name: IMG20211204140452.jpg Path: Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204140452.jpg	Modified: 04-10-2022 07:40:37(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204140452.jpg : 0x0 (Size: 3130147 bytes)
3(4)	Name: IMG20211204140452.jpg Path: Media/Internal shared storage/SR/IMG20211204140452.jpg	Created: 04-10-2022 13:10:37 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211204140452.jpg : 0x0 (Size: 3130147 bytes)
4	MD5: ee37bd382401afa159b91383f2b2e5bf Duplicates(3)	Size (bytes): 3351742 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:05:15 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
4(1)	Name: IMG20211204140515.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204140515.jpg	Modified: 04-10-2022 07:40:37(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211204140515.jpg : 0x0 (Size: 3351742 bytes)
4(2)	Name: IMG20211204140515.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204140515.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20211204140515.jpg : 0x0 (Size: 3351742 bytes)
4(3)	Name: IMG20211204140515.jpg Path: Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204140515.jpg	Modified: 04-10-2022 07:40:37(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204140515.jpg : 0x0 (Size: 3351742 bytes)

4(4)	Name: IMG20211204140515.jpg Path: Media/Internal shared storage/SR/IMG20211204140515.jpg	Created: 04-10-2022 13:10:37 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211204140515.jpg : 0x0 (Size: 3351742 bytes)
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5	MD5: bc47df0d4276abaadaca3e46ad67f11b Duplicates(3)	Size (bytes): 4444242 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:17:21 Pixel resolution: 3000x4000 Resolution: 72x72 (Unit: Inch) Orientation: 0
5(1)	Name: IMG20211204141721.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141721.jpg	Modified: 04-10-2022 07:40:38(UTC+0) Source Extraction: File System (2) Source file: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141721.jpg : 0x0 (Size: 4444242 bytes)
5(2)	Name: IMG20211204141721.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204141721.jpg	Source Extraction: File System (1) Source file: Google Photos sharonrajrko@gmail.com/local media/IMG20211204141721.jpg : 0x0 (Size: 4444242 bytes)
5(3)	Name: IMG20211204141721.jpg Path: Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204141721.jpg	Modified: 04-10-2022 07:40:38(UTC+0) Source Extraction: File System (1) Source file: Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204141721.jpg : 0x0 (Size: 4444242 bytes)
5(4)	Name: IMG20211204141721.jpg Path: Media/Internal shared storage/SR/IMG20211204141721.jpg	Created: 04-10-2022 13:10:38 Source Extraction: Advanced Logical Source file: Media/Internal shared storage/SR/IMG20211204141721.jpg : 0x0 (Size: 4444242 bytes)
6	MD5: a1f79618c6a7dfc09ce175edd8412cb4 Duplicates(3)	Size (bytes): 4623183 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:17:25 Pixel resolution: 3000x4000 Resolution: 72x72 (Unit: Inch) Orientation: Horizontal (normal)
6(1)	Name: IMG20211204141725.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141725.jpg	Modified: 04-10-2022 07:40:38(UTC+0) Source Extraction: File System (2) Source file: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141725.jpg : 0x0 (Size: 4623183 bytes)

6(2)	Name: IMG20211204141725.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204141725.jpg	Source Extraction Source file	File System (1) Google Photos sharonrajrko@gmail.com/local media/IMG20211204141725.jpg : 0x0 (Size: 4623183 bytes)
6(3)	Name: IMG20211204141725.jpg Path: Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211204141725.jpg	Modified: Source Extraction Source file	04-10-2022 07:40:38(UTC+0) File System (1) Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211204141725.jpg : 0x0 (Size: 4623183 bytes)
6(4)	Name: IMG20211204141725.jpg Path: Media/Internal shared storage/SR/IMG20211204141725.j pg	Created: Source Extraction Source file	04-10-2022 13:10:38 Advanced Logical Media/Internal shared storage/SR/IMG20211204141725.j pg : 0x0 (Size: 4623183 bytes)

7	MD5: 776c45b03de56eed59af8ac71a19 4f50 Duplicates(3)	Size (bytes): 4555604 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:17:28 Pixel resolution: 3000x4000 Resolution: 72x72 (Unit: Inch) Orientation: Horizontal (normal)	
7(1)	Name: IMG20211204141728_01.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IM G20211204141728_01.jpg	Modified: Source Extraction Source file	04-10-2022 07:40:39(UTC+0) File System (2) Detected Model_RMX2156.zip/sdcard/SR/IM G20211204141728_01.jpg : 0x0 (Size: 4555604 bytes)
7(2)	Name: IMG20211204141728_01.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204141728_01.jp g	Source Extraction Source file	File System (1) Google Photos sharonrajrko@gmail.com/local media/IMG20211204141728_01.jp g : 0x0 (Size: 4555604 bytes)
7(3)	Name: IMG20211204141728_01.jpg Path: Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211204141728_01.jpg	Modified: Source Extraction Source file	04-10-2022 07:40:39(UTC+0) File System (1) Detected Model_RMX2156.zip/data/media/0/ SR/IMG20211204141728_01.jpg : 0x0 (Size: 4555604 bytes)

7(4)	Name: IMG20211204141728_01.jpg Path: Media/Internal shared storage/SR/IMG20211204141728_01.jpg	Created: 04-10-2022 13:10:39 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211204141728_01.jpg : 0x0 (Size: 4555604 bytes)
8	MD5: 854f40d7d3a15769483f2ce00bc244a2 Duplicates(3)	Size (bytes): 4590711 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:17:32 Pixel resolution: 3000x4000 Resolution: 72x72 (Unit: Inch) Orientation: 0
8(1)	Name: IMG20211204141732.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141732.jpg	Modified: 04-10-2022 07:40:39(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141732.jpg : 0x0 (Size: 4590711 bytes)
8(2)	Name: IMG20211204141732.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204141732.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20211204141732.jpg : 0x0 (Size: 4590711 bytes)
8(3)	Name: IMG20211204141732.jpg Path: Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204141732.jpg	Modified: 04-10-2022 07:40:39(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204141732.jpg : 0x0 (Size: 4590711 bytes)
8(4)	Name: IMG20211204141732.jpg Path: Media/Internal shared storage/SR/IMG20211204141732.jpg	Created: 04-10-2022 13:10:39 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211204141732.jpg : 0x0 (Size: 4590711 bytes)

9	MD5: 27947456569029b0386f951d3250b6e6 Duplicates(3)	Size (bytes): 4730592 <u>Meta Data:</u> Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-12-2021 14:17:33 Pixel resolution: 3000x4000 Resolution: 72x72 (Unit: Inch) Orientation: Horizontal (normal)
9(1)	Name: IMG20211204141733.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141733.jpg	Modified: 04-10-2022 07:40:40(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211204141733.jpg : 0x0 (Size: 4730592 bytes)
9(2)	Name: IMG20211204141733.jpg Path: Google Photos sharonrajrko@gmail.com/local media/IMG20211204141733.jpg	Source Extraction File System (1) Source file Google Photos sharonrajrko@gmail.com/local media/IMG20211204141733.jpg : 0x0 (Size: 4730592 bytes)
9(3)	Name: IMG20211204141733.jpg Path: Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204141733.jpg	Modified: 04-10-2022 07:40:40(UTC+0) Source Extraction File System (1) Source file Detected Model_RMX2156.zip/data/media/0/SR/IMG20211204141733.jpg : 0x0 (Size: 4730592 bytes)
9(4)	Name: IMG20211204141733.jpg Path: Media/Internal shared storage/SR/IMG20211204141733.jpg	Created: 04-10-2022 13:10:40 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211204141733.jpg : 0x0 (Size: 4730592 bytes)

272. The folder, "Image-video from Q4" is marked as Ext.P229(r). These are one video file and one image file. IMG20220504101050.jpg was captured on 4.05.2022 in Realme Q4 mobile phone. In this image the same man and woman are seen (Ext.P4(s)). Ext.P229(r) extraction report of the image (Ext.P4(s)) is reproduced as follows:

Extraction Report - Cellebrite Reports			
Data Files (4)			
Images (4)			
#	File Info	Additional file info	
1	MD5: b7888d135570788209295a63c795598f Duplicates(3)	Size (bytes): 3223356 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 04-05-2022 10:10:50 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0	
1(1)	Name: IMG20220504101050.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220504101050.jpg	Modified: 04-10-2022 07:41:06(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220504101050.jpg : 0x0 (Size: 3223356 bytes)	

VID-20221029-WA0004.mp4 is the video seen in this file (Ext.P4(t)) . Ext.P229(r) extraction report of the video (Ext.P4(t)) is reproduced as follows:

The capture date is not seen. PW94 stated that the video has been modified on 29.10.2022. It implies, according to PW94, that it was shared through whatsapp on 29.10.2022 from Realme Q4 phone and that is why modified date is seen as 29.10.2022 . The absence of capture date of this video is due to imitation of the file system, not with filing centre, she explained. There is thumpnail of the video which shows the exact background with the image file IMG20220504101050. Both are therefore taken on the same date.

273. 'Image 2 from Q4' file is shown to PW94 and was marked as Ext.P229(S). When opened, it is found to contain four image files in which the same girl and man are seen. These are intimate photos. They were captured on 23.12.2021 using Realme, Q4 (MO5) phone. The same are (Ext.P4(f)(g)(h). Ext.P229(s) is as follows:

Extraction Report - Cellebrite Reports

Data Files (16)

Images (16)

#	File Info	Additional file info
1	MD5: 01770bb936796bdb3845e0cce17397d5 Duplicates(3)	Size (bytes): 2426716 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 23-12-2021 12:43:18 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
1(1)	Name: IMG20211223124318.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124318.jpg	Modified: 04-10-2022 07:40:54(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124318.jpg : 0x0 (Size: 2426716 bytes)

1(4)	Name: IMG20211223124318.jpg Path: Media/Internal shared storage/SR/IMG20211223124318.jpg	Created: 04-10-2022 13:10:54 Source Extraction Advanced Logical Source file Media/Internal shared storage/SR/IMG20211223124318.jpg : 0x0 (Size: 2426716 bytes)
2	MD5: 7fd1894e42899ad8753d237121fff66e Duplicates(3)	Size (bytes): 2677350 Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 23-12-2021 12:43:21 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
2(1)	Name: IMG20211223124321.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124321.jpg	Modified: 04-10-2022 07:40:54(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124321.jpg : 0x0 (Size: 2677350 bytes)

3	MD5: dce15282e5a7d3106c8e9e161b27dc9c Duplicates(3)	Size (bytes): 3418866 <u>Meta Data:</u> Camera Make: realme Camera Model: realme narzo 30 Capture Time: 23-12-2021 12:43:28 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
3(1)	Name: IMG20211223124328.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124328.jpg	Modified: 04-10-2022 07:40:54(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124328.jpg : 0x0 (Size: 3418866 bytes)

4	MD5: 1955e5b23a8a3d83f1211fb38020988a Duplicates(3)	Size (bytes): 2632109 <u>Meta Data:</u> Camera Make: realme Camera Model: realme narzo 30 Capture Time: 23-12-2021 12:43:45 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
4(1)	Name: IMG20211223124345.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124345.jpg	Modified: 04-10-2022 07:40:54(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20211223124345.jpg : 0x0 (Size: 2632109 bytes)

274. The folder "Image-3 from Q4" was marked as Ext.P229(t). When opened, it contained two files in which the same persons are seen in a room. The same were captured on 18.07.2022 from Q4(MO5) phone. The same are Ext.P4(u) and (v) . Ext.P229(t) is reproduced hereunder:

Extraction Report - Cellebrite Reports

Data Files (2)

Images (2)

#	File Info	Additional file info
1	<p>Name: IMG20220718094906.jpg</p> <p>Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094906.jpg</p> <p>MD5: 1e87a50c1cddd1aa155a20921532e8d3</p>	<p>Size (bytes): 2673824</p> <p>Modified: 04-10-2022 07:41:56(UTC+0)</p> <p>Source Extraction File System (2)</p> <p>Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094906.jpg : 0x0 (Size: 2673824 bytes)</p> <p><u>Meta Data:</u></p> <p>Camera Make: realme</p> <p>Camera Model: realme narzo 30</p> <p>Capture Time: 18-07-2022 09:49:06</p> <p>Pixel resolution: 3456x4608</p> <p>Resolution: 72x72 (Unit: Inch)</p> <p>Orientation: 0</p>
2	<p>Name: IMG20220718094913.jpg</p> <p>Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094913.jpg</p> <p>MD5: 3042627565348eefc695f3b31c0a799b</p>	<p>Size (bytes): 2589503</p> <p>Modified: 04-10-2022 07:41:56(UTC+0)</p> <p>Source Extraction File System (2)</p> <p>Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220718094913.jpg : 0x0 (Size: 2589503 bytes)</p> <p><u>Meta Data:</u></p> <p>Camera Make: realme</p> <p>Camera Model: realme narzo 30</p> <p>Capture Time: 18-07-2022 09:49:13</p> <p>Pixel resolution: 3456x4608</p> <p>Resolution: 72x72 (Unit: Inch)</p> <p>Orientation: 0</p>

The Ext.P229(t) will prove the fact that Greeshma and Sharon had occupied room No. 2, Golden Castle Inn, Thripparappu and it is evident from the genital examination report of Greeshma that she had sexual intercourse.

275 The folder by name "Image--video from Q4" was marked as Ext.P229(u). When opened, two images were seen(Ext.P4(x)(y)). The same are captured on 22.08.22 from Q4 mobile. The same persons are seen. They are Sharon Raj and Greeshma. The lady is seen holding in her hand a juice bottle . This is the video in which two persons are the same male and female, seen near a bridge. The lady is holding two bottle juice. She is taking one juice bottle from her bag and the other juice bottle was already on her hand. This was captured on 22.08.2012 from Q4 Realme (MO5). Ext.P229(u) is as follows:

Extraction Report - Cellebrite Reports

**Th
e**

Data Files (2)

Images (2)



#	File Info	Additional file info
1	Name: IMG20220822120011.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220822120011.jpg MD5: 79c85ff0ad97a543728c1bb274914b72	Size (bytes): 7562278 Modified: 04-10-2022 07:42:08(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220822120011.jpg : 0x0 (Size: 7562278 bytes) Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 22-08-2022 12:00:11 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0
2	Name: IMG20220822120419.jpg Path: Detected Model_RMX2156.zip/sdcard/SR/IMG20220822120419.jpg MD5: 124f9440d6a9b5d737ae31627e9203d5	Size (bytes): 7627846 Modified: 04-10-2022 07:42:09(UTC+0) Source Extraction File System (2) Source file Detected Model_RMX2156.zip/sdcard/SR/IMG20220822120419.jpg : 0x0 (Size: 7627846 bytes) Meta Data: Camera Make: realme Camera Model: realme narzo 30 Capture Time: 22-08-2022 12:04:19 Pixel resolution: 3456x4608 Resolution: 72x72 (Unit: Inch) Orientation: 0

Ext.P229(u) video will prove the fact that Greeshma tricked Sharon with two juice bottles at Kuzhithura bridge. The video is very much visible in which Greeshma was holding one juice bottle underarms and quickly she was taking another juice bottle from her bag. This was the slice juice bottles purchased by Greeshma from the shop of PW14, Kassali Stores, Thiruvithamcodu at Kerala border. This video appears to have been recorded after visiting C.S.I. Medical Mission College, Neyyoor, Kanyakumari. So, it is to be believed from the available evidence that Greeshma had mixed paracetamol at the toilet of the college and thereafter both came near to the bridge for juice challenge. This time Sharon is seen recording video of her exchange of juice bottles and at that time Sharon is seen asking, "what is the game?". Sharon must have suspicion whether she had mixed something in the juice bottle and that is why Sharon is seen asking in the video, "I am recording it". Then she is trying to hide the bottles and asking him, "don't record it". It means and implies that she smelt of danger of recording the visuals in which she was taking a juice bottle

from her bag, exchanging with another one kept under her arms and tricking Sharon. Anyhow, this attempt failed.

276. This is the folder name “whatsapp chat 22.08.2022 from Q4”, which is marked as Ext.P227(v). When opened, whatsapp extraction report is seen. This is a chat between 9074171590 and 8925888533, Sharon and Greeshma. The chats are dated 22.08.2022. The extraction report is marked as Ext.P229(w). Ext.P229(w) is extracted below:

Participants

-  919074171590@s.whatsapp.net
Sharon Raj (owner)
-  918925888533@s.whatsapp.net
Mowli M

Conversation - Instant Messages (346)

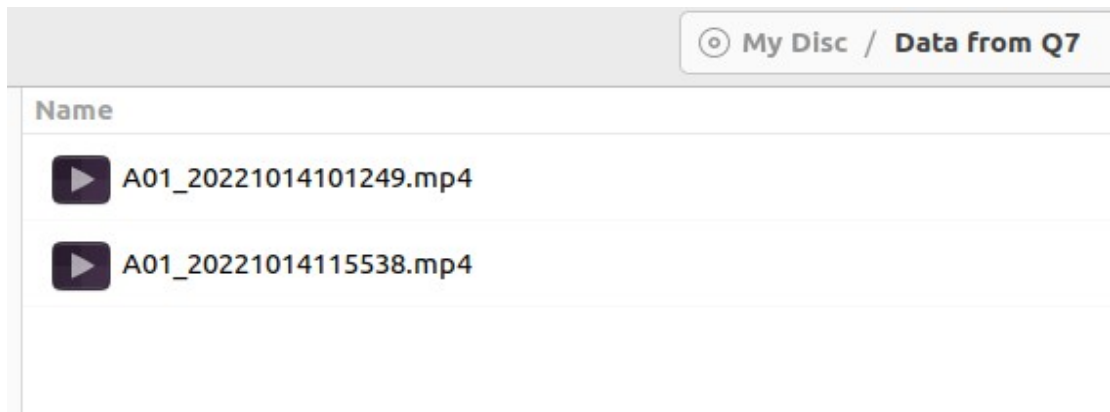
From: 918925888533@s.whatsapp.net Mowli M
Gd mrrng ichaya
Platform: Mobile
22-08-2022 01:38:59(UTC+0)

Source Extraction:
File System (1)
Source Info:
Detected Model: RMX2156.zip\data\data/com.whatsapp/databases/msgstore.db : 0x3337106 (Table: message; Size: 88616960 bytes)
Detected Model: RMX2156.zip\data\data/com.whatsapp/databases/wa.db : 0x404A1 (Table: wa_contacts; Size: 524288 bytes)

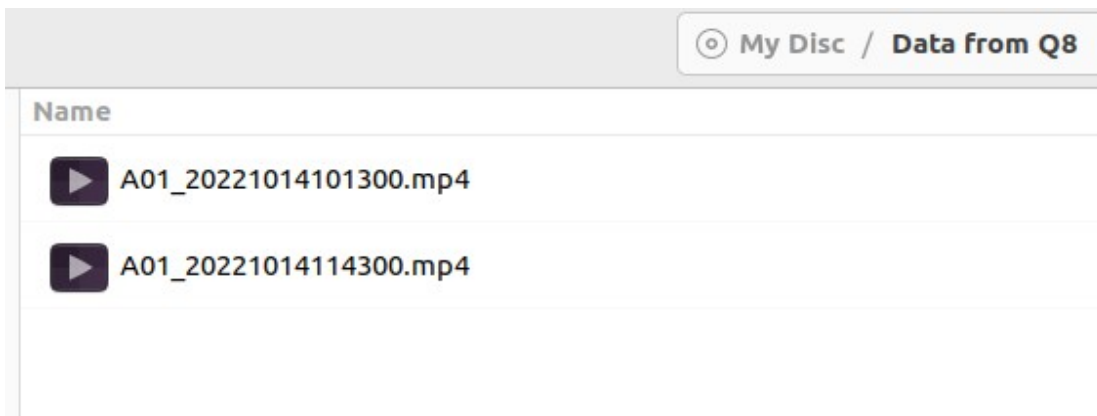
From: 919074171590@s.whatsapp.net Sharon Raj (owner)
Gd mrrng Vaave
Status: Read
Platform: Mobile
22-08-2022 01:45:26(UTC+0)

Source Extraction:
File System (1)
Source Info:
Detected Model: RMX2156.zip\data\data/com.whatsapp/databases/msgstore.db : 0x260BF88 (Table: message; Size: 88616960 bytes)
Detected Model: RMX2156.zip\data\data/com.whatsapp/shared_prefs/registration.RegisterPhone.xml : 0x199 (Size: 707 bytes)
Detected Model: RMX2156.zip\data\data/com.whatsapp/shared_prefs/com.whatsapp_preferences_light.xml : 0x2EA9 (Size: 25583 bytes)

277. The folder, “Data from Q7” is shown to PW94. The same is marked as Ext.P229(x). When the file is opened, CCTV visuals dated 14.10.2022 at 10.13.2026 (Ext.P4(a1) is seen. Ext.P229(x) folder screen shot is given below for more clarification :



278 . The CCTV footage on 14.10.2022 at 11:55:43 onwards contained in "Data from Q8" folder shown to PW94 and the same is marked as Ext.P229(y). The same is (Ext.P4(a2)). When opened, it is found to contain the CCTV footage recorded on 14.10.2022 at 10.13 AM. And 11.43 AM respectively. (Ext.P4(a3) & P4(a4) . Ext.P229(y) folder screen shot is given below for more clarity :



The evidence of PW2 that he, along with Sharon Raj went to the house of Greeshma on 14.10.2022 by the motorcycle of Sharon Raj and also the fact that he drove motorcycle on their return journey from Poovampallikonam to Parassala could be further corroborated by the CCTV footages.

279. The folder by name "whatsapp chat from 14.10.22 to 18.10.22" is marked as Ext.P229(z). When the file is opened whatsapp extraction report containing the chats between 9074171590 (Sharon Raj) and 8925888533(Greeshma) from

14.10.2022 to 18.10.2022 is seen . The extraction report is marked as Ext.P229(a1). The hard copy of Ext.P229(a1) is marked as Ext.P230. All the retrieved whatsapp messages are not separately marked. The marked messages are also shown. The whatsapp messages including the marked exhibits in Ext.P229(a1) are reproduced for the sake of convenient reading :

	Message From	Message To	Date	Time	Message
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:05:39	Gd mornng Vaave
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:13:34	Gd mornng ichaya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:13:50	Avaru ini sheet adikn poit pokum nu prnju..
Ext. 229(a2)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:13:52	Varo
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:14:00	Atho chtne vilkn pona.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:14:01	Apo nerathe poko.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:14:08	Ath pappa poyi.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:14:19	Ippozhe 8 aavaaraayille.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:14:26	Odi.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:14:30	Nganeyum 9 aakum nu thonnunu
Ext. 229(a3)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:14:46	Ningalk 9 nu varn patto...
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:14:48	9nu enik Ammena konde idanm.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:14:53	Athumalla.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:14:59	Ayyoooo.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:15:02	Nnittu vna mathi....
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:15:05	Nthe.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:15:10	Vere nthelm undo.
	9074171590	8925888533	14.10.2022	02:15:16	Vandi illa super.

Sharon Raj	Mowli. M			
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:15:22	Adipoli.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:15:25	Apo bye....
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:15:39	Nille njn oru payyana vilich noakatte.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:15:45	Sheri
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:15:50	Avare oru 11nu pokan para vaave
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:15:51	Ntha nu vacha msg idu.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:16:03	Net off aakkathe.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:16:07	Njan pryum pole alle avaru pone nadakkoola.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:16:15	Njn kitchen ponu.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:16:27	Dheshyapedaathe.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:16:45	Ayye deshyam alla.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:16:51	Nille set akkaam.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:16:52	Ok aa.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:16:53	Kaaryam prnje ichaya.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:16:57	Sheri.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:17:09	Vaave.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:17:38	Ntho.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:17:38	Kacha onnum Venda Kaaranam nink spot clear chyn purathe iranghendi varoole.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:17:48	Nokm.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:18:04	Sheri.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:18:13	Msg ayk avar pokumbo.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:18:14	Ok
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:18:43	Aykm....
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	02:18:55	Sheriyedi vaave.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	02:19:03	Ok ichaya.

	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	03:09:02	Bhaarye
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	03:09:07	Nthaayi.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	03:42:03	Avar poilla.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	03:42:11	Ippo sheet adiknpoye ullu.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	03:57:49	Poko.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	03:58:04	Pokum.... Ini thne
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	03:58:21	Poyitte vanna amma.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	03:58:30	Illa illa.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	03:58:58	Apo ini kulichitte okke alle puku.
Declined call from Sharon Raj (919074171590 @s.whatsapp.net owner) 14.10.2022 03:59:00					
Ext. 229(a4)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	03:59:23	Maman phn chynu.
Ext. 229(a5)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	03:59:30	Ammede phn il
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	03:59:39	Ooo ichaya.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	03:59:47	Athine njn ninte phonil alle viliche.
Incoming call from Mowli M (918925888533@s.whatsapp.net)					
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:37:33	Ichaya.
Ext. 229(a6)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:37:37	Avar ipo irangum.
Ext. 229(a7)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:37:39	Ningal baa.
Missed call from Mowli M (918925888533@s.whatsapp.net) 14.10.2022 04:37:45					
Ext. 229(a8)	Incoming call from Mowli M (918925888533@s.whatsapp.net) 14.10.2022 04:38:14				
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:38:37	Dha vrne nille.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:38:42	Ok
Outgoing call from Sharon Raj (919074171590 @s.whatsapp.net owner) 14.10.2022 04:38:44					
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:50:01	Avar poi.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:50:03	Vaave
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:50:07	Avare kandilla.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:50:08	Ntho.
	8925888533	9074171590	14.10.2022	04:50:16	Aare

	Mowli. M	Sharon Raj			
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:50:22	Njn dha elanchira.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:50:24	Apo vrnille...
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:50:28	Ooo angane.
Ext.229 a(9)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:50:31	Baa.
Ext.229 a(10)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:50:35	Pinna varaathe
Ext.229 a(11)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:50:36	Avar irangiye ullu.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:50:42	Vrne bnreeweee.
Ext.229 a(12)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:51:10	Ba ba.
Ext.229 a(13)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:51:19	Njn gate thurannu vekm...
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:51:36	Okey thura thura.
Ext.229 a(14)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:51:37	Ningal kerittu njn poi adakm...
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:51: 44	Ethiyo
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:51:51	Illa illa.
Ext.229 a(15)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:52:12	Ethayalm njn thurannu vachu.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:52:41	Anghane kidakatte.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:52:46	Ooo
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:52:46	IMG-20221014-WA0004.jpg.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:52:51	Evide.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:53:04	Range ill bae.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:53:23	Ooo.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:53:41	Ith evdw
Ext.229 a(16)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:53:52	Ninte amma
Ext.229 a(17)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:53:55	Pass aayi.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:53:58	Knda
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:54:10	Oo enne noakki.

	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:54:37	Nillee.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:54:49	Njn niknu nadaknu.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:55:06	Pedi ottum illalle.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:55:14	Eeeyyyy ille illa.
Ext.229 a(18)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:55:36	Ipo varo.
Ext.229 a(19)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:55:50	Vrnedi adanghe.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:56:01	Pedi atha... ipo clear aa .
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:56:28	Nenje edikkanaayirikkum le.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:56:34	Nannaayt.
Ext.229 a(20)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:57:21	Ippo ethum
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:57:27	Ooooo.
Ext.229 a(21)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:58:58	Njn ethi.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:59:02	Ooo.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:59:07	Gate adakkanda...
Ext.229 a(22)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	04:59:11	Keri ingu vaa.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	04:59:14	Kkk.
Ext.229 a(23)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:07:47	Sorry ichaya.
Ext.229 a(24)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:08:26	Ith nrml aanu.
Ext.229 a(25)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:08:34	Aadhyam vomit okke njnm chuthu.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:08:46	Pakshe njn ath kaippinte nu aanu vijariche.
Ext.229 a(26)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:08:50	Sorryyy.
Ext.229 a(27)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:08:59	Njn ithrem pratheekshichilla.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:10:33	Njn orthilla ningalk vomiting ullathalle.
Ext.229 a(28)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:10:36	Sorry.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:33:36	Ichaya.

	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:33:45	Enk oru samadhanam illa atha.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:35:22	Orika vdo call il varo.
Ext.229 a(29)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:35:29	Njn karanam alle.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:35:35	Edi kuzhappaam onnumilla.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:35:42	Plzzz.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:35:52	Venda vaave.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:35:58	Enk ariyam.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:36:05	Nth knd aanennu arinjooda.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:36:12	Njnm vomit chythu nnalm.
Ext.229 a(30)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:36:15	Green colour il vomit chyth pone.
Ext.229 a(31)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:36:23	Aa juice kudichond aayirikko.
Ext.229 a(32)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:36:35	Ath kashayam aa clr athuknd aavum.
Ext.229 a(33)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:36:46	Njn karanam le
Ext.229 a(34)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:36:51	Ini vtl ariyumpo.
Ext.229 a(35)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:36:57	Njn karanam.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:37:03	Ningal oru karyam chy
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:37:16	Medical store ninnu vomitting tablets vangu.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:37:20	Apo ok aavum.
Ext.229 a(36)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:37:24	Sorry ichaya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:42:10	Ichaya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:45:20	Prnja
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:45:22	Prnja.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:45:31	Paranje vaave.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:45:39	Epo kittum tablets.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:45:48	Ineppo kittum.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:46:01	Enik kuzhappam onnumilla.....

	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:46:06	Njn ok aane.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:46:16	Sound kekumpo enk ariyam.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:46:38	Orika vdo call chyatta.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:46:40	Plzzzz.
Ext.229 a(37)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:46:42	Ith green colour kashaayam aano.
Ext.229 a(38)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:46:52	Ooo orumathiri clr.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:47:02	Vndm vomitting aa.
Ext.229 a(39)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:47:15	Green alla... orumathiri oru clr.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:47:18	...
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:47:22	Vndm aa
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:50:09	Ningal vere nthelm kazhicho.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:50:16	Annu clg poyopo vallom
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:50:17	Njn ipo ok aayi vaave.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:50:24	Urappano.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:50:26	Kudichu.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:50:45	O vaave.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:50:46	Anne undallo vomitting.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:50:54	Ond ond
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:50:57	Njn orthilla.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:51:08	Chtn vno.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:51:11	Saaramilla vaave.
Ext.229 a(40)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:51:19	PTT-20221014-WA0005.opus
Ext.229 a(41)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:52:30	PTT-20221014-WA0006.opus
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:53:02	Ath normal aayirunne.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:53:09	nthooo.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:53:21	Njn uranghatta vaave.

	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:53:22	Enk vayya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:53:27	Urangikko.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:53:32	Nthone vayya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:53:41	Alla samadhanam illa.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:53:49	Enikk onnumilla.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:53:57	Sheri urangikko.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:54:05	Kashaayam name nthone.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:54:11	Ntho.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:54:15	Ith undaknath
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:54:20	Njn choich prym.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:54:27	Oook di.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	06:54:33	Ni vishamikaathe.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:54:40	Sheri.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	06:56:07	Urangnille.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	07:18:29	Vaave njn kidakkane.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	07:18:40	Njn ok aane.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	07:18:57	Nink scene onnum ayillalle.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	07:33:29	Enk onm illa.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	07:33:36	Tablet kittiya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	07:47:34	Amma vnu.
Ext.229 a(42)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	10:29:10	Edi njn hospitalil aane.
Ext.229 a(43)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	10:29:17	Enne vilikaruth.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	10:29:27	Phone ntele aayirikoola.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	10:29:42	Pedikanda oru trip idan vanne.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	10:33:38	Ayyooo.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	10:33:44	Ottum vayya le.

9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	11:53:16	Nink Marunne thanna avide innu vilich chothikko.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	11:53:28	Ninte Amma onnum kaanaathe.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	11:59:48	Nth ichaya ottum vayye.
Declined call from Mowli M (918925888533@s.whatsapp.net) 14.10.2022 12:00:00 (UTC+0)				
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:00:13	Aale ond.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:00:20	Ottum vayye.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:00:24	IMG-20221014-WA0013.jpg
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:00:25	Hospital il admit aa.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:00:38	Evde.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:00:46	Trip itte kazhinj.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:00:53	Admit aa.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:00:54	Hospital il.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:00:57	Ottum vayye.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:00:53	...
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:01:02	Patto.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:01:10	Illa illa.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:01:13	Nokm...amma und njn nokm..
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:01:18	Nth athrak vayye.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:01:22	Nte motion black aayitte pone.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:01:28	Ichaya aa juice prblm aanu ichaya.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:01:40	Thanne.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:01:42	Ath kudichu auto chtn m vayya nu...
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:02:01	Ivde ammaye knd vitta auto chtnu njan athanu koduthe...
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:02:15	Aa chtnu vayya nu maman prnju kurachu munne.
9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:02:26	Enik chat chyn patoola vaave.
8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:02:27	Ichayan aal und prnjond aanu njn msg chyathe.

Ext.229a
(44)

	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:02:33	Sheri sheri.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:02:41	Ariym.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:02:50	Sheri ichaya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:02:52	Rest eduk.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:02:52	IthaNe.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:02:58	Njn karanam.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:03:00	Ipo veettil vedaathe.
Ext.229a (45)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:03:08	Admit aakiya.
Ext.229a (46)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:03:11	Ethu hsptl.
Ext.229a (47)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:03:19	Parassala.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:03:22	Govt.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:03:24	Ningalk ok aayo....
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:03:27	Aarogyam.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:03:39	Ok asyil kuzhpmillaaa.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:03:54	Nthonnu.
Ext.229a (48)	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	12:03:57	Enik vayya chat chyn njn pone.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:04:03	Vayye.
Ext.229a (49)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	12:04:25	Njn karanam sorry ichaya.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	17:25:28	Gd night sweat dreams vaave.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:25:38	Nganund.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	17:25:38	Naale samsaarikm.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:25:43	Sheri.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:25:56	Vtl vno.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:26:00	Atho hsptl lo.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	17:26:00	Medical il aayirunne ipo vne ollu.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	17:26:07	Ammacheeda veettil.

	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:26:13	Avde poya.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:26:17	Athrak vayye.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	17:26:18	Baaki naale.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:26:23	Sheti.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	17:26:31	Kuzhpkillaaa.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:26:35	Gd nyt.
	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:26:38	Sirry.
Ext.229a (50)	8925888533 Mowli. M	9074171590 Sharon Raj	14.10.2022	17:26:48	Sorry.
	9074171590 Sharon Raj	8925888533 Mowli. M	14.10.2022	17:26:49	Don't worry.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	00:39:51	Gd mrng ichaya.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:04:48	Gd mrng vaave.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:04:55	Njn ammacheeda veetil.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:13:21	Nganund ichayaa.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:13:28	Ottum vayya le.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:13:40	Deleted by the sender
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:13:53	Deleted by the sender
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:14:11	Deleted by the sender
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:32:44	Ipo kurave ond vaave.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:33:03	Innale medical il Vara poyio.
Ext.229a (51)	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:33:19	Ninte ammumeda kashaayam.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:47:53	Athalla.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:47:58	Aa juice aanu.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:48:10	Kashayam prblm nkil njn enne chathene.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:48:25	Sorry ichaya.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:51:02	Ni pathyam eduthalle.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:51:13	Athukondaayorikkum.

Ext.229a
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9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:51:35	Inne vilikkoolalle.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:52:53	Ichaya sorryyy.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:53:03	Illa ichaya....innu pattoola....
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:53:16	Deleted by the sender.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	03:53:27	Njn eduthu...
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:55:03	Juice taste vethyaasam illernelleee.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:55:16	Enikkum pattoola vaave.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	03:55:22	Enne marakkalleeee.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	04:27:00	Ntho ichaya....nthayalm ipo ok aavanundallo... ath mathi.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	04:27:09	Njnm thirichu parayatta.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	07:05:50	Oooo.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	07:05:56	Podi anghotte.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:20:01	Ithanu.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:20:26	Pne oru karyam.....tension aavanda....vishamikkanda.....on m vnda...njn double ok aanu...
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:20:34	Enk food kazhikn pattanilla....
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:21:39	Adiyilulla gum grind chythu...avde oru hole pole kidaknu nu prnjille...ath ipo nalla hole aayi...ithrem naal kuzhppam illarnnu... ipo food kazhikumpo cheriya piece athinte ullil kernu....
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:21:50	So ipo liquid form il kazhiknu....
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:21:56	Oats...cprn flakes...
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:22:07	Njn vndm vava aayi ichaya....
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:22:27	Nthayalm monday onm so adjust chym.....
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:38:04	Enne grind chyn poye.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:38:18	Annu chythille.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:38:29	Pallum gums m cherthu.
9074171590	8925888533	15.10.2022	08:38:33	Nalla sheenam kaanumalle.

Sharon Raj	Mowli. M			
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:38:48	Eeey illa nalla healthy food alle kashikne.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:38:56	Ichayanu nganund....
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:39:02	Enik ipo vomiting ninne vaave ipo full sheenam.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:39:17	Kazhi kazhi.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:39:21	Sheenam pathiye maarum mwuthe.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:44:06	Njn salt itte vellem podikn poye.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:44:17	Bhayanghara thonda vedhana.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:44:22	Kudik ichaya.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:44:31	Guest epo vrne.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:44:34	Sharthilinte after effect....
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:44:38	Vnu thudangi.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:44:55	Ya ya panna paratte.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:45:01	Njn pani edukuvarnu....ipo kashichit vnu kidannath...ipo ponm...dha vilichu...
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:45:21	Njn manappoorvam alla....ithrem praheekshichilla.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:45:30	Innale urakm polm illa....enk vayya.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:45:35	Pani chy sredhicheee.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:45:48	Bodhathodi.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:45:51	Sradhikm... illel ningalk pani aavum.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:45:53	Vaanoakaathe.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:45:59	So njn sradhikum.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:46:10	Enik kuranjedi.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:46:26	Ichayan urangikko...njin angottu pottu....vayyathe allallo..so pani edukn kuzhapan illa.
8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:46:34	Samadhanam aayi.
9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:46:43	Ok di vaave poiko.
8925888533	9074171590	15.10.2022	08:46:51	Luv u ichaya.

	Mowli. M	Sharon Raj			
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	08:46:54	Njn und koode.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:47:02	Luv u too vaave.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	08:47:10	ath mathy mwuthe.
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	13:09:58	Ichaya...ivde guest okke vnu...
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	13:10:12	Nmk naale samsarikm....onm vijarikkalle.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	13:19:10	Oook vaave....
	8925888533 Mowli. M	9074171590 Sharon Raj	15.10.2022	13:25:27	Luv u ichaya.
	9074171590 Sharon Raj	8925888533 Mowli. M	15.10.2022	13:25:50	Lub u to bhaarye.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	01:49:30	Gd mrng ichaya....
	9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	03:10:43	Gd mrng vaave.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	05:23:50	Elrm vnu ichaya....athanu varathe....
	9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	06:05:57	Ok ok.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	06:42:18	IMG-20221016-WA0000.jpg
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	07:21:15	Enk theere pattanilla nalla pain....inn pokum hsptl il.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	07:21:23	Onm kazhikn pattanilla....
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	07:22:24	Sachu nte kail aa phn...njin urangn pone...
Ext.229a (54)	9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	09:54:22	Enikk vayya.
	9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	09:54:28	Njn hospitalil.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:11:21	Vndm aa.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:11:25	Nth pattiye.
	9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	10:39:56	Thonda pazhuthe oru thulli vellam polim iranghanilla.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:40:10	Ayyayyoo.
Ext.229a (56)	9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	10:40:24	Ottum vayya.
	8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:40:36	Hsptl ponm.
	9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	10:40:45	Sheri.
	8925888533	9074171590	16.10.2022	10:41:15	Njn aa auto chtnte avastha

Mowli. M	Sharon Raj			check chyne..
9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	10:41:33	Oooo enik vayyedi.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:41:44	Onnuilla ichaya.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:41:46	Elm sheri aavum.
9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	10:41:56	Ni koode kaanane.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:42:04	Njn und koode onm vishamikkathe.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:42:09	Njn evdde povn...
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	10:42:13	Ningalalle elm.
9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	12:45:11	Ath mathy vaavee.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	12:58:02	Onm illa ichaya....njin und koode.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	15:58:56	Gd nyt ichaya.
9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	16:25:22	Onnum vijaarikaathe vayyaathondaane onlinil varaathe.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	16:29:55	Enk nannaayt ariyam ichaya.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	16:29:56	Enk arinjoode ningale.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	16:30:12	Ningalk njn kazhunjalte ullu.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	16:30:44	Ningal onm aaloch tension aavanda.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	16:30:54	Vegam ok aayi baa....enk ath mathi.
8925888533 Mowli. M	9074171590 Sharon Raj	16.10.2022	16:30:54	Enk elm manassilavum...
9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	17:47:40	Varum vaave.
9074171590 Sharon Raj	8925888533 Mowli. M	16.10.2022	17:47:55	Good night sweet deems vaave.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	00:01:32	Gd mrng ichaya.
9074171590 Sharon Raj	8925888533 Mowli. M	17.10.2022	05:57:39	Nalla sneham.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	05:57:50	Nth ichaya.
9074171590 Sharon Raj	8925888533 Mowli. M	17.10.2022	05:58:01	Onnumilla.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	05:58:05	Ningalk ngane und...
9074171590 Sharon Raj	8925888533 Mowli. M	17.10.2022	05:58:07	Njn medicalil.

8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	05:58:11	Kuranjo vtl vno.
9074171590 Sharon Raj	8925888533 Mowli. M	17.10.2022	05:58:19	Ippazha kelkan thonniye.
9074171590 Sharon Raj	8925888533 Mowli. M	17.10.2022	05:58:34	Trivandrum medical Collegil.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	05:58:38	Ningal msg chythal alle phn ningade kail aano alle nu okke enk ariyu.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	05:58:46	Athrak vayye.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	05:59:22	Njn ravile msg ittu...ath ningal kndal alle ningal phn eduthu nu manasailavu...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	05:59:45	Elrdem koode ningal irikumpo...enk nth chyn pattum...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:00:17	Manassil pedi vachit ivde irikunna avastha ningalk arinjooda...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:00:39	Nth venelm vijaricho....enk kuzhappam ill....
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:00:46	Ningal onnu ok aayi vna mathii.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:07:27	Muzhuvan deivangaleyum vilikkunnund njan....
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:07:34	Idavidathe.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:08:21	Nte avastha ningalk prnjai manassilavilla....onm ariyan pattathe...onm chyn pattathe...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:09:21	Rendu divasam aayi njn nthelm kazhichittu....
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:10:02	Kazhikn pattathond maathrilla....iranganilla...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:10:21	Karangi veenu kaalu koluthipidichu iriknu...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:10:48	Ith ningalod parnju ningale tension aakanda nu karuthiyatha....pakshe prnju poi...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:12:18	Enk onm illa....ini athum aalochu irikkanda.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:12:32	Ningal ningade health nokkikko.
9074171590 Sharon Raj	8925888533 Mowli. M	17.10.2022	06:24:34	Enghane veezhne.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:25:42	Thalakarangiyyath.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:25:50	Vere onm illa.
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:25:56	Enk onm illa.

8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:26:17	Ningal nokkikko....
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:30:07	Chodhikn thonnathondo.....marannatho alla...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:30:14	Pattaathathu knda....
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	06:36:51	Ningale marannittu enk irikn patto....
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	15:22:49	Ichaya...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	17:18:01	Gd nyt ichaya.....get well very soon...
8925888533 Mowli. M	9074171590 Sharon Raj	17.10.2022	17:18:13	Elm ok aayi vegam va.
8925888533 Mowli. M	9074171590 Sharon Raj	18.10.2022	02:13:46	Gd mrng ichaya.

280. PW94 produced hard copy of the above Ext.P229(a1), Ext.P230 and its S.65B certificate is marked as Ext.P230(a). The above are UTC time given in the column No. 4. To get Indian Standard time of the same, 5 hours 30 minutes are to be added, PW94 deposed. PW94 stated that the **State FSL, Thiruvananthapuram is accredited under 79A of I.T. Act. It is a notified laboratory and electronic examiner of evidences and has NABLISO IEC 17025:2015 standard accredited lab.**

281. Learned senior advocate for accused submitted that PW94 is not supposed to speak about the contents of data. I find substance in the submission. The contents were already spoken to

by the prosecution witnesses. Therefore, PW94 need not to speak about the contents. The fact that the questioned mobile phones, lap tops, pen drives, sterile hard discs etc were examined and the data contained in it could be proved by PW94. The details of the contents were also spoken to by PW94, but it is only the fact that PW94 received the sealed packets, examined the questioned mobile phones, laptop, pen drives and hard disc and also the fact that what are the items contained in the above devices which were exposed and the same were reduced into writing , could be proved by PW94. According to PW94 she is the authorized person to speak whether data is authenticated or not because there are stipulated protocols and SOPs followed throughout the examination and she would admit that her job is to give information in the form of report. She had given statement to Police, PW94 added. Learned senior advocate pointed out that there is no record of statement seen, as per the final report. It is sufficient that PW94 filed the examination report containing result of examination and the details of examination. In the circumstance there is substance in the submission by learned senior advocate that the oral evidence with respect to the overt act of A1 towards Sharon Raj was in excess of her authority. It is an opinion evidence , according to me. The

opinion is to be read with other substantive evidences for corroboration. An expert is not a witness of fact. His evidence is really of an advisory character. The duty of an expert witness is to furnish the Judge with the necessary scientific criteria for testing the accuracy of the conclusions so as to enable the Judge to form his independent judgment by the application of this criteria to the facts proved by the evidence of the case. The scientific opinion evidence, if intelligible, convincing and tested becomes a factor and often an important factor for consideration along with the other evidence of the case. The credibility of such a witness depends on the reasons stated in support of his conclusions and the data and material furnished which form the basis of his conclusions.

282. As I have observed above, **the evidence of PW1 to PW3, PW10 and PW92 with respect to the abduction, sexual intercourse between Sharon and Greeshma, opportunity to administer poison, administration of poison, motive and intention to poison him etc could be further corroborated by the reports of PW94.** It is further argued on behalf of accused that by giving oral evidence about the contents of the report, she is biased to the prosecution. The same is denied by PW94. In fact PW94 has not stated anything more than what is contained in her

report. She just explained about the contents , but no overt acts or the circumstances. Of course, this circumstances were already stated by PW1 to 3, PW10, PW92 and the evidence of PW94 would further corroborate and complement their evidence. True, what have stated by PW94 with respect to the overt act cannot be taken into consideration. However, she has to speak about the examination of material objects received.

283. Learned senior advocate invited the attention of PW94 to the whatsapp chats between Greeshma and Sharon at 6.45 a.m. on 13.10.2022. PW94 deposed that at 6.45 a.m. on 13.10.2022 the following messages were seen sent by Sharon to Greeshma and vice versa . The same were marked from the defence side.

Exhibit	Date	Time	Message by	Message
Ext. D2	13.10.2022	03:18:09 (6.45 a.m.)	Sharon	Enik vayare ithuvare set aayilla
Ext. D3	13.10.2022	03:18:22		Vomitting
Ext.D4	13.10.2022	08.32.33		Inne Evng Allenghy naale njn veettil varum kanaan ok aa
Ext.D5	13.10.2022			Vtlaaaaaaa
Ext.D6	13.10.2022			Oooo
Ext.D7	13.10.2022			Allathe pattanilla enik
Ext.D8	13.10.2022	08.28.44		Naale Veettil varumbo nmk kaanaame
Ext.D9	13.10.2022	8:47:56		Vtl varumbozha

Ext.D10	13.10.2022	8:48:01		Enik pedi aavnu
Ext.D11	13.10.2022	08:48:21		Nthine
Ext.D12	13.10.2022	08:48:30	Greeshma	Vtl varnath
Ext.D13	13.10.2022		Sharon	Oh varum
Ext.D14	13.10.2022		Sharon	Kanditte
Ext.D15	13.10.2022		Sharon	Pokum
Ext.D16	13.10.2022	08:48:54	Greeshma	Njn purath nkm
Ext.D17	13.10.2022		Greeshma	Okaa
Ext.D18	13.10.2022	08:49:12	Sharon	Njn akathe varum
Ext.D19	13.10.2022		Sharon	Okaa
Ext.D20	13.10.2022		Greeshma	Nthinu
Ext.D21	13.10.2022		Greeshma	Njn nadu roadil ipo bodham kedm
Ext.D22	13.10.2022		Sharon	Inne ninte floods kande nth lookedi aahpicil
Ext.D23	13.10.2022	8:49:57	Sharon	Njn varoola nte ponne
Ext.D24	13.10.2022	8:50:02	Greeshma	Nthonu
D25	13.10.2022	08:50:04	Sharon	Roadil nilkm
D26	13.10.2022		Greeshma	mathiii

284. Referring the above messages, it is argued vehemently by learned Senior Advocate that on 13.10.2022 Sharon had abdomen problem , vomiting and therefore, after taking the kashayam on 14.10.2022 the same was further aggravated. It is submitted by learned Special Public Prosecutor that the whole messages are to be read together and accused cannot pick the one to suit their needs. It is further submitted that the messages on the previous day will also go to show that Sharon had attended a marriage party and hence he had some abdomen problem. However, **it is**

categorically stated by all the Doctors who attended Sharon that Sharon was healthy on 14.10.2022 and had no any other problem except the consequence after ingestion of kashayam laced with poison. The argument is not appreciable why because the preparation with specific intention and motive to give poison to Sharon two hours prior to the visit of Sharon to the house of Greeshma could be proved as discussed above. It is further argued by learned Senior Advocate that it was Sharon who was compelling Greeshma to come, which could be proved by Exts. D3 to D6 and Exts. D7 to D11 show that Greeshma did not like his visit to home. This argument cannot be accepted in view of the number of whatsapp chats made thereafter by Greeshma to Sharon compelling him to come to her house. **On a conjoint reading of Exts. D1 to D22 and also Ext.P229(a1) series one can easily understand that there was every compulsion from the side of Greeshma. Had he has any health problem he would not drive a bike and he would not take any kashayam . A1 admitted that he gave kashayam and he drank it. Before arrival he had not sent any message that he had any abdomen problem on 14.10.22. As per Ext.P229 (a2) Greeshma began to chat with Sharon at 7.43 a.m. This is**

few minutes after the paraquat search from the same mobile phone. She insisted him to come at 9 a.m. As per Ext.P229(a3), she was explaining the situation at her home as per Ext.P229(a4). Exts. P229 (a2) and Ext.P229(a3)are as follows:

Exhibit	Page No.	Date	Time	Message
Ext. 229(a2)	Page No. 2 of 229(a)	14.10.2022	02:13:52	Varo
Ext. 229(a3)	Page No. 4	14.10.2022	02:14:46	Ningalk 9 nu varn patto...

285. At 10.07 a.m. she informed him that her mother and uncle will go out soon. As per Ext.229(a6) message and from the next moment as per Ext.P229(a7) she insisted him to come. Ext.P229(a6) and Ext.P229(A7) are as follows:

Exhibit	Page No.	Date	Time	Message
Ext.P229 (a6)	Page No. 20	14.10.2022	04:37:37	Avar ipo irangum.
Ext.P229 (a7)		14.10.2022	04:37:39	Ningal baa.

At 10.15 a.m. she invited him as per Ext.P229(a9) message. As per Ext.P229(a10) Sharon agreed to come and she then gave him the message that both mother and uncle left home just now (P229(a11)). It is clear from Ext.P229(a 12) and Ext.P229(a13) that

she again invited him to come and informed him that she will keep the gate open. Exts. P229(a 12) and Ex.P229(a13) are as follows:

Ext.P229 (a12)		14.10.2022	04:51:10	Ba ba.
Ext.P229 (a13)		14.10.2022	04:51:19	Njn gate thurannu vekm...

He had replied at 10.21 a.m. to open the gate and that at the next moment Greeshma informed Sharon that she will close the gate after Sharon entered inside the house. Ext.P229(a14) is as follows:

Ext.P229 (a14)		14.10.2022	04:51:37	Ningal kerittu njn poi adakm...
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At 10.21 a.m. Greeshma asked Sharon whether he arrived to which he replied “no no”. It is clear from Ext.P229(a15) that she kept the gate opened and passed the information to Sharon. At 10.22 a.m. she was asking Sharon where he is. **It is clear from the whatsapp messages that she was waiting for Sharon. Though , on 13.10.2022 , Sharon was asking Greeshma to meet, Greeshma changed her mind and by that time she made up her mind and formed the intention and also formulated the plan and the same is evident from her web history search , 2 hours before the arrival of Sharon from**

the same mobile phone. It is proved that at a time when she was inviting Sharon to come to her house, she was searching via google chrome how to kill her friend.

286. Ext.P229(a16) and Ext.P229(a17) messages and the messages sent thereafter that Sharon met A2 and A3 at Ilanchira at 10.23 a.m. and the two messages indicating that Sharon Raj had seen A2 and A3 and they passed him. These two messages are important as pointed out by learned Special Public Prosecutor that the investigation was fair because otherwise Police could have implicated A2 and A3 also in Section 302 IPC, alleging conspiracy or common intention because the message of Sharon Raj is very clear that while PW2 and Sharon Raj were proceeding to Greeshma's house as invited by her, Sharon saw A2 and A3 while they were proceeding from opposite side and both A2 and A3 looked at Sharon. The next moment he sent message to Greeshma that he saw A2 and A3. It is also clear from the subsequent messages that Greeshma asked Sharon Raj whether they had seen Sharon Raj to which he replied that they looked at Sharon Raj. In fact, in the Police charge the same is mentioned as a knowledge of A2 and A3 and their involvement in this crime. However, no final report is filed against A2 and A3 alleging offence U/S 364, 328, 302 r/w 34 IPC.

Therefore, I am not inclined to advert at length about it. Exts. 229(a16) and Ext.229(a17) are as follows:

Ext.P229 (a16)		14.10.2022	04:53:52	Ninte amma
Ext.P229 (a17)		14.10.2022	04:53:55	Pass aayi.

Sharon was asking her to wait and her further message shows that she was upset. When Sharon asked her whether she is afraid of the situation, she replied that she has no any fear. At 10.25 a.m. as per Ext.P229(a18) Greeshma was again asking whether he will come now to which he replied that he is coming and be calm down. The above two messages, Exts. P229(a18) and Ext.P229(a19) are reproduced as below:

Ext.P229 (a18)	Page No. 33	14.10.2022	04:55:36	Ipo varo.
Ext.P229 (a19)		14.10.2022	04:55:50	Vrnedi adanghe.

The above said two messages will prove that she put him under pressure even at a time when he is way to her home and due to her continuous message for hurrying up, he was asking her innocently to calm down. Her mental stress at that time was not known to him because by that time she had boiled kashayam and mixed it with paraquat.

287. At 10.27 a.m., as per Ext.P229(a 20) Sharon sent a message that he will reach now and at 10.28 a.m. he sent a

message to Greeshma that he arrived at the gate of the house .
Ext. P229(a 2) and Ext.P229(a21) will prove this fact and the same
are reproduced as follows:

Ext.P229 (a20)	Page No. 35	14.10.2022	04:57:21	Ippo ethum
Ext.P229 (a21)		14.10.2022	04:58:58 (IST Time : 10.21 a.m)	Njn ethi.

Greeshma sent message to Sharon not to close the gate and as per
Ext.P229(a22) she invited him to come inside the house.
**Ext.P229(a22) proves that at 10.29 a.m. on 14.10.2022
Sharon entered inside the house of Greeshma and
Greeshma told him to come inside the house .** Ext.P229(a22)
is extracted as follows:

Ext.P229 (a22)		14.10.2022	04:59:11 (IST Time : 10.21 a.m)	Keri ingu vaa.
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He replied, 'Kkk', at 4:59:14. This is the exact time on which
Sharon arrived at the house of A1. **All these messages, if
examined meticulously, one can easily understand that
Greeshma was very much eager for the presence of Sharon .
Therefore, the contention of accused that there were no**

initiative from the side of Greeshma to abduct Sharon from Parassala to Sreenilayam , cannot be accepted at all. So also, it cannot be believed that it was Sharon who insisted to have a meeting at Sreenilayam on 14.10.2022. The messages dated 13.10.2022 marked as Exts. D2 to D28 are of no avail in view of Exts. P229(a1) to P229(a52) and other messages referred in Exts. P229(a). There is no message till 11.37 a.m. Ext.P229(a23) will prove this fact. Greeshma said sorry to Sharon at 11.37 a.m. as per Ext.P229(a25). **Greeshma sent Ext.P229(a25) message to Sharon after she came to know that Sharon vomited, under the pretext of consoling him, stating that she also vomited. This pretext was made fraudulently, according to prosecution, because otherwise Sharon would have gone to hospital immediately after vomit.**

288. A1 was alone was in the house. A2 and A3 left the house minutes before the arrival of Sharon which is proved by the message of Sharon. PW2 was waiting at a distance from that house for the privacy of his friends. This situation is relevant under Section 11 (2) of Indian Evidence Act.

11. Facts not otherwise relevant are relevant -

(1)if they are inconsistent with any fact in issue or relevant fact;

(2)if by themselves or in connection with other facts they make the existence or non-existence of any fact in issue or relevant fact highly probable or improbable.

Illustrations.(b)The question is, whether A committed a crime. The circumstances are such that the crime must have been committed either by A, B, C or D. Every fact which shows that the crime could have been committed by no one else, and that it was not committed by either B, C or D, is relevant.

289. This situation is also important circumstance because being an act occurred inside the house of A1 where A1 and Sharon alone were there and in the circumstance U/S 106 of the Indian Evidence Act, Greeshma ought to have disclosed to Sharon , after coming to know of vomit, what transpired there including the concoction of poison so that his life could have been saved. Contradicting her confession to magistrate it is contended by accused that she had boiled kashayam for herself and at the time when she went to toilet Sharon drank it . So , it is argued that she had no intention to poison him. It is for her to prove her that she

had a different intention than the one alleged by prosecution.

Section 106 of the Indian Evidence Act is as follows:

106. Burden of proving fact especially within knowledge.

When any fact is especially within the knowledge of any person, the burden of proving that fact is upon him.

Illustrations (a) When a person does an act with some intention other than that which the character and circumstances of the act suggest, the burden of proving that intention is upon him.

(b) A is charged with travelling in a railway without a ticket. The burden of proving that he had a ticket is on him.

Where an offence like murder is committed in secrecy inside a house, the initial burden to establish the case would undoubtedly be upon the prosecution, but the nature and amount of evidence to be led by it to establish the charge cannot be of the same degree as is required in other cases of circumstantial evidence. The burden would be of a comparatively lighter character. In view of S.106 of the Evidence Act there will be a corresponding burden on the inmates of the house to give a cogent explanation as to how the crime was committed. The inmates of the house cannot get away by simply keeping quiet and offering no explanation on the supposed premise that the burden to establish its case lies entirely

upon the prosecution and there is no duty at all on an accused to offer any explanation.

Ext.P229(a25) is as follows:

Ext.P229 (a25)		14.10.2022	06:08:34	Aadhyam vomit okke njnm chuthu.
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It substantiates the contention of prosecution that she got information from Sharon that he vomited. **Ext.P229(a25) is an admission by Greeshma that she administered kashayam to Sharon and she wanted to convince Sharon that even if he had vomited, he need not to bother about it, saying that she also vomited. She realized the mistake and said sorry to Sharon at 11.38 a.m. as proved by Ext.P229(a26) and further admitted that she did not expect this much as shown in Ext.P229(a27). Ext.P229(a26) and Ext.P229(a27) are two of the several admissions by Greeshma to the effect that she has given kashayam to Sharon and she said sorry because it was mixed with poison.** Ext.P229(a26) and Ext.P229(a27) are as follows:

Ext.P229 (a26)		14.10.2022	06:08:50	Sorryyy.
Ext.P229 (a27)		14.10.2022	06:08:59	Njn ithrem pratheekshichilla.

There was whatsapp call from Sharon to Greeshma at 11.39 a.m. on 14.10.2022 which means that he had communicated about his vomiting to Greeshma. She again said sorry to Sharon at 11.40 a.m., proved by Ext.P229(a28). There were several calls from Sharon to Greeshma thereafter and at 12.03 p.m. Greeshma responded and sent messages to Sharon that she lost her mental peace. It is clear that by this time Greeshma came to know about the result of poisoning that the poison, paraquat mixed with kashayam adversely affected the body of Sharon. At 12.05 p.m. on 14.10.2022 , as per Ext.P229(a29) message, Greeshma admitted that the vomiting was because of herself. Though Greeshma invited him for the video call , he did not agree because by that time, he was very much tired. It is clear from the CCTV visuals that while he was riding pillion on the motorcycle driven by PW2, he was leaning on the shoulder of PW2 and was looking tired.

290. **It is proved from the evidence of PWs 1 to 3 and doctors who attended Sharon from 14.10.2022 to 25.10.2022 that Sharon vomited in green colour soon after consuming kashayam . It is further proved by the message**

Ext.P229(a30) sent by him to Greeshma at 12.06 a.m. on 14.10.2022, about one hour after consuming kashayam, that his vomit was green in colour. So the evidence of PW2 that Sharon vomited in green colour in three places while returning back to Parassala from Greeshma's house is corroborated by the message of Sharon that his vomit was green in colour. In this message, what is meant by Sharon was about his vomit at the house of Greeshma and three times on the way to his home to Parassala. This is an important link of circumstance sufficient to infer that soon after Greeshma administered poison mixed with kashayam Sharon vomited in green colour at her house and three other places. Ext.P229(a30) is reproduced as follows:

Ext.P229 (a30)		14.10.2022	06:36:15	Green colour il vomit chyth pone.
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291. Greeshma was again asking Sharon whether vomiting was due to intake of juice. The said message Ext.P229(a31) is as follows:

Ext.P229 (a31)		14.10.2022	06:36:23	Aa juice kudichond aayirikko.
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It is a reply for the message of Sharon that he vomitted in green colour and Greeshma was admitting whether the same was due to intake of kashayam. Therefore, she was very much aware that the green vomit was due to the kashayam. The said message was marked as Ext.P229(a32). Again, she admitted to the message by Sharon that he vomited in green colour, that it was due to her action. The said message is Ext.P229(a33), which is shown as below:

Ext.P229 (a33)		14.10.2022	06:36:46	Njn karanam le
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She was repeatedly admitting that his medical condition was due to her and the same is marked as Ext.P229(a35), which is as follows:

Ext.P229 (a35)		14.10.2022	06:36:57	Njn karanam.
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Again she said sorry to Sharon at 12.07 p.m., as per Ext.P229(a36). There were calls from Sharon Raj to Greeshma and she also called him back . Though Sharon was consoling her that he has no problem, she was inviting him for video call again. As per Ext.P229(a37) Sharon was asking to Greeshma at 12.16 p.m. whether the kashayam is in green colour .The same is as follows:

Ext.P229 (a37)	Page 48	14.10.2022	06:46:42	Ith green colour kashaayam aano.
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It shows that the vomit was green in colour soon after having drunk kashayam. To this, Greeshma replied that it was something like that. She sent a message to Sharon that she also vomited not in green colour but something different. The said message was **Ext.P39. This time she wanted to mislead Sharon diverting his attention so that he will not seek medical aid immediately. Sharon was telling again that he vomited again and thereafter he appeared on video call at 12.17 pm. Thereafter, there were several chats between Sharon and Greeshma in which it appears that she was very much anxious to know about the medical condition of Sharon and he was consoling her innocently. She just wanted to know whether her attempt will succeed or not.**

292. It is to be noted here that even after the intake of kashayam there were several chats and calls continuously and in the circumstances, section 14 of Indian Evidence Act is relevant which is as follows:

14. Facts showing existence of state of mind, or of body or bodily feeling.

Facts showing the existence of any state of mind, such as intention, knowledge, good faith, negligence, rashness, ill-will or good-will

towards any particular person, or showing the existence of any state of body or bodily feeling, are relevant, when the existence of any such state of mind or body or bodily feeling is in issue or relevant.[Explanation 1. - A fact relevant as showing the existence of a relevant state of mind must show that the state of mind exists, not generally, but in reference to the particular matter in question.

Explanation 2. - But where, upon the trial of a person accused of an offence the previous commission by the accused of an offence is relevant within the meaning of this section, the previous conviction of such person shall also be relevant fact.] *[Substituted by Act 3 of 1891, Section 1, for the original Explanation.]*

Illustration (k) The question is, whether A has been guilty of cruelty towards B, his wife. Expressions of their feeling towards each other shortly before or after the alleged cruelty, are relevant facts.

293. The defence that Sharon attacked her severely on her face at the residential house of Greeshma on 14.10.2022 when he visited her, cannot be believed for several reasons. Had there occurred any quarrel between Greeshma and Sharon when he arrived at her house on that day, definitely there will be some indications in the messages sent by her thereafter. She has not sustained any injury. On the other hand, both were speaking about

the kashayam, her mistake, her admission of guilt, her pretention of care towards him, saying sorry etc. The answer to Section 313 questionnaire that Sharon drank the kashayam which was kept at the table meant for Greeshma , when she went to kitchen is an utter lie because in the several messages as discussed above, she would admit that the vomiting was due to her action only.

294. The evidence of PW1 to PW3 , PW10 and PW92 that Sharon was admitted at the hospital on 14.10.2022 would be proved by the medical evidence. The same was informed by Sharon to Greeshma as per Ext.P229(a42) message and further asked not to call him because the phone will be in the hands of others. Relevant messages are Ext.P229(a42) and Ext.P229(a43), which are as follows:

Ext.P229(a42)	Page No. 63	14.10.2022	10:29:10	edi njn hospitalil aane
Ext P 229 (a43)		14.10.2022	10:29:17	Enne vilikaruth

295. In fact, Sharon was asking Greeshma to contact the person who gave her kashayam and the said message was seen sent at 5.23 p.m. on 14.10.2022. Greeshma, however, did not disclose the information known to her, but continued to ask whether he is sick in the subsequent messages and admitted in the hospital. The evidence of PW1 that when Sharon was taken to hospital, his

motion was excreted in black colour is also corroborated by Ext.P229(a44) and the same was informed to Greeshma at 1.31 p.m. on 14.10.2022. Ext.P229(a44) is as follows:

Ext.P229(a44)	Page No. 71 (Message from Sharon)	14.10.2022	12:01:2022	Nte motion black aayitta pone
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296. It is admitted in the next message from Greeshma that the juice which he drank at the house was the problem. Though it is not specifically marked , the same is there in Ext.P229(a1) series and Ext.P230 , which is extracted below: **“Ichaya aa juice prblm aanu ichaya”**. Again at 5.32 p.m. on 14.10.2022 she in fact admitted her guilt and sent message to Sharon that his vomit was due to her. Though it is not specifically marked, the same is there in Ext.P229(a1) series and Ext.P230 , which is extracted below: **“njn karanam”** . She wanted to know whether he was admitted in the hospital which is proved by Ext.P229(a45). It is further asked in which hospital he was admitted to which Sharon replied that it was at Parassala Hospital. The relevant messages are Exts.P229(a45) to Ext.P229(a47) which are as follows:

Ext.P229 (a45)	Page No. 76	14.10.2022	12:03:08	Admit aakiya
Ext.P229(a46)		14.10.2022	12:03:11	Eth hsptl

Ext.P229 (a 47)	(Reply message sent from Sharon)	14.10.2022	12:03:19	Parassala
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At around 5.33 p.m. Sharon became sick and was not even able to chat with her which can be proved by Ext.P229(a48). The same is as follows:

Ext.P229(a48)	Page No. 78	14.10.2022	12:03:57	Enik vayya chat chyn njn pone
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Again she admitted her guilt as per Ext.P229(a49) and said sorry to Sharon , marked as Ext.P229(a49) and the same is reproduced as follows:

Ext.P229(a49)		14.10.2022	12:04:25	Njn karanam sorry ichaya
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She was watching whether he is continuing in the hospital or came home which could be proved by the subsequent message. Sharon was telling her that he went to Medical College Hospital, and he reached at his mother's family house. The evidence of PW1 to 3, PW10 and PW92 that they stayed at Vallakadavu at the family house of PW10 after attending a Doctor at Medical College Hospital on 14.10.2022 could be further substantiated by these messages. She continued to ask about the medical condition of Sharon and she wanted to know whether it is credible or not.

297. She again said sorry for his medical condition , which is proved by Ext.P229(a50).

Ext.P229 (a50)	Page 85	14.10.2022	17:26:48	Sorry
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298. Few messages sent by Greeshma on 15.10.2022 were seen deleted. Sharon has protested firstly against Greeshma's serving of kashayam at 9.03 a.m. on 15.10.2022 and he sent such a message to Greeshma as per Ext.P229(a51). She was replying that it is an aftereffect of vomiting and he was scolding her for giving him kashayam as per the reply message sent on 15.10.2022. The same is shown below:

Ext.P229(a 51)	Page 88 (Sent by Sharon)	15.10.2022	03:38:19	Ninte ammunmede kashayam
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299. She has admitted again at 9.17 a.m. on 15.10.2022 that it was that juice which is the reason. She said sorry again to Sharon, as per Ext.P229(a52).

Ext.P229(a 52)	Page No. 90 (Sent by Greeshma)	15.10.2022	03:52:53	'Ichaya sorryyy
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300. At 2.14 p.m. on 15.10.2022 Sharon had severe throat pain and such a message was sent by him to Greeshma which is as follows:

Ext.P229(a 53)	Page No. 101 (Sent by Sharon)	15.10.2022	-	Bhayangghara thonda vedana
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301. Sharon sent Ext.P229(a54) message stating that he is not feeling well and in the next message it is seen that he is in hospital . On the same day at 3.19 p.m. his medical condition has worsened. **He could not gulp even a drop of water. A message was sent to that effect at 4.09 p.m. on 16.10.2022 as follows: “Thonda pazhutte oru thulli vellam polum iranghanilla”.**

302. At 3.10 p.m. as per Ext.P229(a56) he sent a message to Greeshma that he is very sick and further sent messages stating that he cannot speak and attend calls. On 17.10.2022 Sharon sent messages that he was undergoing treatment at Medical College Hospital. After 17th there were messages from Greeshma to Sharon , but there was no reply from Sharon. By that time, he became very sick and not able to respond.

303. The whatsapp messages , Exts. P229(a) to P229(a22) would specifically prove the fact that Greeshma was very much particular that Sharon had to be brought to

her home at about 10.30 a.m. on 14.10.2022 because she had already prepared poison for Sharon. The fact that Greeshma abducted Sharon from his house at Parassala to Sreenilayam, residential house of first accused could be proved by the evidence of PW1 to 3, PW10, PW92 and PW94 and those evidence is further corroborated by the messages proved as discussed. Ext. P229(a2) to Ext.P229(a22) would prove the fact that Greeshma had the opportunity to administer poison to Sharon at her house Sreenilayam, Poovvampallikonam. There are several admissions in the whatsapp chats by Greeshma to Sharon to the effect that Sharon had consumed kashayam at her house at around 10.30 a.m. on 14.10.2022 and she also gave juice to drink to Sharon in which he sustained severe vomiting, loose stools etc. There are admissions in the whatsapp chats from the mobile of Greeshma to Sharon to the effect that medical condition of Sharon was due to the overt act of Greeshma at around 10.30 a.m. on 14.10.2022 at her house by giving him kashayam and juice. The presence of Sharon which is proved by Exts. P229(a2) to Ext.P229(a22) is a circumstance which will lead to a definite

conclusion that Greeshma had opportunity to administer poison to Sharon and he started vomiting and loose stools in black colour after consuming kashayam and juice given by Greeshma. The preparation of kashayam laced with kapiq herbicide, 2 hours prior to administering the poison will destroy the entire defence that Greeshma was innocent of the crime. The subsequent conduct of Greeshma by deleting the search history of administration of kashayam with herbicide and its medical condition would further strengthen the case of prosecution that the motive of accused was very much clear to finish Sharon so that he can marry PW84.

INVESTIGATION

304. Police have conducted a brilliant investigation in this matter with the aid of digital and forensic evidence. Police succeeded in bringing the truth with the aid retrieved data of mobile phone calls, whatsapp messages, video calls, CCTV footages, pendrive, hard disk, CDs etc. It helps to reconstruct events. All the circumstances in this case are timeline of events which could be proved by analyzing timestamps on digital files.

305. PW70, Sub Inspector of Police of Parassala Police Station, conducted inquest on the body of Sharon Raj at the mortuary of Medical College Hospital, Thiruvananthapuram at 12.15 p.m. on 26.10.2022. He prepared Ext.P21 inquest report in the presence of witnesses. He also prepared letter memorandum. After conducting the postmortem examination the mortal remains was handed over to PW34, relative of Sharon Raj, vide Ext.P64 receipt for cremation as per their custom and rites PW5 is also an attester to the inquest prepared on 25.10.2022 by Sub Inspector Balu on the body of Sharon at Medical College Hospital, Thiruvananthapuram. He identified the signature in the inquest report and marked it as Ext.P21 through him. Grade CPO of Parassala Police Station, PW71, was doing the guard duty of the body at the mortuary of Medical College Hospital, Thiruvananthapuram. PW71 released the body of Sharon Raj to PW 18 for cremation, after obtaining Ext.P34 receipt.

306. PW73 is an attester to Ext.P23 mahazar prepared at 11 a.m, on 13.12.2022 which was prepared after seeing the license produced by one Mahesh kumar, Kozhivila ,who is running the fertilizer shop . He also had identified Ext.P25 license while preparing the mahazar. The same is identified in the box also.PW73 is an attester to Ext.P27 mahazar prepared at 11.30 a.m. on

13.12.2022 after seeing the license produced by Ravisankar, who was running Agro Trading Corporation. He identified Ext.P29 license and Ext.P29(a) annexure. He is an attester to Ext.P109 mahazar prepared after seeing the photos of motorcycle driven by PW2 taken for sending to FSL. He identified the 5 photos of the motorcycle, marked as Ext.P110 series. In the cross-examination PW73 explained that it were Sharon Raj and Reshma in the 5 photographs. He further explained in the re-examination that Ext.P109 is a mahazar after seeing the CDs received after FSL examination and for the production before Court. He has seen the seal of the All India Radio on the envelope received from All India Radio, containing the seals.

307. PW74, CPO, working at Rural Cyber Cell, Thiruvananthapuram attested Ext.P11 mahazar prepared for the recovery of the mobile phone of A2 Sindhu, Samsung Galaxy mobile phone, at the time of her arrest. He identified the mobile phone, M.O.43 and its SIM card, M.O.43(a). He also attested Ext.P112 mahazar prepared for recovery of Realme C-15 mobile phone of A3 Nirmala Kumaran Nair. He identified M.O. 44 phone of A3 and M.O.44(a), its SIM card.

308. PW75, P.A. to RTO, Marthandam, Kanyakumari was in charge of Assistant Registering Authority and as per request of investigating officer, he furnished vehicle details of TN 75 H 4115, Honda Activa scooter. PW75 deposed that A3 Nirmalakumaran Nair is the owner of the vehicle. A certificate was also issued by him and marked as Ext.P117. Joint RTO, Parassala, PW54, issued ownership certificate , Ext.P85 showing that Bajaj Pulsar Motorcycle bearing registration number KL 01 CC 3383 is belonging to Priya. G. , mother of Sharon. AMV of Sub Regional Transport Office, Parassala , PW55 examined Activa Scooter, black in colour bearing registration No. TN 75 H 4115 and Ext.P86 fitness certificate was issued stating that no mechanical defect was detected. He also issued Ext.P87 fitness certificate after examining the Bajaj Pulsar Motorcycle bearing registration No. KL 01 CC 3383 stating that no mechanical defect was detected.

309. PW85, Grade SCPO, 5131 working at Thiruvananthapuram Rural Crime Branch on a working arrangement from Attingal Police Station attested Ext.P137 mahazar prepared by Dy.S.P., the Investigating Officer, at 5 p.m. on 25.11.2022 after seizing the datas contained in the laptop, mobile phones, CCTV footages and two external sterile haddisks for copying the data. He identified

Ext.P4 hard disk of Thoshiba company make which was described in the Ext.P137 mahazar by Dy.S.P., Investigating Officer, after seeing the hard disk. M.O.41 is the mobile phone belonged to PW1 which was used for conversation with Greeshma on 22.10.2022, A mahazar was prepared at 1.10 p.m. on 7.1.2023 after seeing M.O.41 mobile phone and M.O.41(a) SIM card, Ext.P103 CD which were produced by PW1 before the investigating Officer. The mahazar was marked as Ext.P138. PW85 is an attester to Ext.P139 mahazar prepared after seeing the expert opinion letter produced by administrator of the Karpig Herbicide Company, K.R. Life Sciences Ltd. at 11.00 hours on 16.01.2023. PW85 identified the expert opinion letter which is marked as Ext.P140 . PW85 attested Ext.P141 mahazar prepared by the investigating officer after seeing the photos of accused persons , one pendrive, Section 65B certificate which were produced by PW85 at 11 a.m. on 19.1.2023. He identified Ext.P100 series (13 numbers) , 13 photographs , pendrive - Ext.P101 and Section 65B certificates - (Ext.P102). Accused got marked Ext.P142 in the cross-examination of PW85 after seeing the license and sales permission produced by PW7, in which an invoice book is also mentioned. The said invoice book was marked as Ext.P143 from the side of accused. learned Senior

Advocate invited attention to page No. 123 of Ext.P143 in which it is seen that one Mahesh, FACT, Kozhivila house had purchased two bottles of kapiq containing 250 ml. each . Mahazar prepared on 2.12.2022 in which PW85 identified the signature is marked as Ext.P144. A mahazar was prepared for the seizure of the invoice , Ext.P145, which is marked as Ext.P144 issued from Agro Trading Corporation in which also it is seen that two bottles containing 250 ml. each karpiq herbicide were seen purchased by one Mahesh. However, it is not put to PW85 how these invoices and mahazar are connected to the prosecution case. Learned Special Prosecutor submitted that prosecution is not relying Ext.P142 to P145. In fact the complete address of Mahesh is not seen in the invoices. Merely for the reason that during the course of investigation , those invoices were recovered, does not mean that the M.O.6 and M.O.26 were connected to Ext.P142 to P145. The evidence of both the owners of Agro Trading Corporation and the retail vendor would specifically prove the sale of M.O.6 and M.O.26 and in the circumstance, these invoices are of no relevance at all.

310. PW89, S.I. of Police, Parassala conducted preliminary investigation of this case. He was member of Special Investigation Team . He conducted investigation of this case as per the direction

of Dy.S.P. He collected blood and urine samples of Sharon in a sealed packet after describing the same on Ext.P157 mahazar, for sending the same for chemical examination. The same were produced before SDM court as per Ext.P158 property list. He proceeded to the residential house of Greeshma on 28.10.2022 and prepared Ext.P159 mahazar. He recovered 'kadaleekalpam' ayurvedic medicine , maaza bottle , OP card of Gayathri Hospital, Poovar after describing the same in Ext.P159 mahazar. The said kadaleekalpam bottle was marked as M.O.50. The maaza bottle was marked as M.O.51. Ext.P160 report was filed before the SDM court for keeping M.O. 50 and 51 in safe custody. He prepared Ext.P20 mahazar of Ext.P19 horoscope of Greeshma and the same was described in Ext.P20 mahazar. Ext.P161 O.P. card of the Gayathri Hospital, Poovar was recovered as per Ext.P159. PW1 produced Ext.P10 series before PW89 and the same were recovered after describing in Ext.P11 mahazar. PW89 identified Ext.P10 series as per Ext.P54 mahazar, Ext.P51, treatment records of Sharon Raj were taken into custody . The daily report register, Ext.P53 was produced by PW26 before PW89 and the same was described in Ext.P55 mahazar. He identified Ext.P53 in the box. As per the kaichits , Ext.P50 and P52, Ext.P51 and Ext.P53 were returned back

as those were in daily use. PW92 produced Ext.P59 series and Ext.P60 series lab reports and ECG reports respectively of Sharon Raj to PW89 and the same were described in Ext.P58 mahazar. PW89 identified Ext.P59 series and Ext.P60 series. PW89 also produced Ext. P73 series and 74 series. Blood test result of 14.10.2022 and ECG report of Sharon Raj to PW89 and the same were described in Ext.P162 mahazar. PW89 identified Exts. P73 series and P74 series. The superintendent, Medical Records, Medical College Hospital, Thiruvananthapuram produced Ext.P57 series to PW89 and the same was described in Ext.P56 mahazar. PW89 identified Ext.P57 series. He had prepared Ext.P96 mahazar after inspecting 'Souparnika ', residential house belonged to A3 at Mekkodu , Kaliyikkavila where Sharon and Greeshma had spent time and took photographs. PW89 recorded the statements of CW86 to 96, 100, 101 and 112 . PW89 himself gave statement to Dy.S.P. about his part of investigation of this crime.

311. It was stated in the cross-examination of PW89 that initially there was no evidence made out when the FIR was registered. But there was suspicion about the death of Sharon. It was further mentioned in the FIR, according to PW89, that the girl friend of Sharon, Greeshma was suspected in the death of Sharon.

PW 89 started the investigation from 26.10.2022. On that day itself he interrogated Greeshma. PW 89 deposed that Greeshma had twisted the facts and admitted to divert the attention of the investigating officer by misleading them that it was 'kadaleekalpam' and not 'kokilaksham kashayam' which was given to Sharon. Greeshma had further given information to PW 89 that bottle had been sold out. Admittedly he did not conduct search on 26.10.2022 inside the house of accused though he had power to conduct search. Admittedly, he did not seize the mobile phone of Greeshma though phone was in the possession of Greeshma. However, Sub Inspector of Police, Balu recorded the statement of 1st accused on 26.10.2022 itself. He also contacted PW2 and he had told him that Sharon had visited the house of Greeshma and he vomited thereafter. However, he did not visit the place where Sharon vomited , nor has prepared any mahazar. He could have investigated the above aspects then and there. PW89 denied the suggestion put to him that he prepared Ext.P 59 mahazar only to make it appear that he has done something in this matter.

312. Additional S.P., Thiruvananthapuram Rural District, PW90 took over the investigation of this crime on 22.12.2022. Ext.P163 is the order authorizing PW90 for conducting investigation cited by the

District Police Chief, Thiruvananthapuram. The report filed by him was marked as Ext.P164. He filed Ext.P165 report for production of Ext.P12 maahzar before court. Ext.P 166 is the report filed by him for production of Ext.P13 mahazar, Ext.P167 is the report for production of Ext.P14 mahazar, Ext.P168 is the report for producing Ext.P15 mahazar, Ext.P169 is the report for production of Ext.P16 mahazar, Ext.P170 is the report for production of Ext.P17 mahazar, Ext.P171 is the report for submitting Ext.P18 mahazar, Ext.P172 is the report for submitting Ext.P5 mahazar, Ext.P173 is the report for production of Ext.P6 mahazar, Ext.P174 is the report annexed along with Ext.P3 mahazar, Ext.P175 is the report for production of Ext.P89, Ext.P176 report is pertaining to Ext.P 90 mahazar, Ext.P177 report is filed for the production of Ext.P91, Ext.P178 is filed along with Ext.P92 mahazar, Ext.P 179 report is pertaining to M.O.4 and M.O.28, Ext.P180, form 15 is pertaining to M.O.4 and M.O.28. The above ere produced by PW90 before Court. Ext.P181 is the forwarding note for sending specimen handwriting of A1 for examination. PW90 prepared Ext.P109 mahazar and Ext.P 182 report was annexed along with Ext.P109 mahazar. Ext.P183 is the forwarding note and Ext.P 184 is its report. Ext.P 185 is the forwarding note for sending the vaginal swab and smear preserved

for examination and Ext.P186 is its report. In the cross-examination he has further stated that he had investigated this matter up to 2.01.2023. He had produced report on 30.12.2022 , after having collected Cyber evidence before court. He had also sent laptop, mobile phone etc. for examination. He stated in the cross-examination that he did not prepare a mahazar after having the whatsapp chat dated 14.10.2022 and 22.08.2022. He had perused electronic evidence for preparation of mahazar and Ext.P81 mahazar was perused for describing the details of paraquat content etc. in the forwarding note. **Exts. P165 of P 186 reports and forwarding note would prove that PW90 has produced all the available inputs pertaining to the investigation of this crime from time to time without any delay in this matter. The mahazars, Ext.P12 to P18, P3, P5, P6, P89, P90, P91 and P92 were duly prepared and produced before court. It is also proved by the evidence of PW90, M.O.4, M.O.28 were duly produced before court and Ext.P183 and Ext.P185 forwarding notes were duly submitted before court.**

313. District Crime Branch Officer, PW93 conducted investigation of this crime. Ext.P199 is the order authorizing PW93 for conducting the investigation. Thereupon, he filed Ext.P200

report before this court. He recorded the statement of CWs 82, 99, 102 and 116. He also recorded further statement of CWs 1 to 3. He produced Ext.P201, form 15 for production of RC particulars for the vehicle bearing No. KL 01 CC 3383, Ext.P85. He produced Ext.P202, Form 15 for production of Ext.P117, RC particulars of the scooter used by A3. Ext.P203 is the report stating that the occurrence took place on 14.10.2022. It was PW93 who took M.O.41, M.O.41(a), and M.O.41(b) after describing the same in Ext.P 138. He identified his signature in Ext.P138 and also identified the M.Os. He produced Ext.P204, report before court for production of M.O.41 series. He produced Ext.P205, forwarding note for sending M.O.45 CDs, produced by PW1. Ext.P206 is its Form 15 . Ext.P207 is the form 15 for producing Ext.P87 before court. Ext.P208, form 15 is pertaining to Ext.P86, produced before court. Ext.P209 is the forwarding note for sending voice samples of A1 and also Ext.P36, P38 and P48. He prepared Ext.P122 mahazar after seeing Ext.P120, P121 and M.O.46. Ext.P210, form 15 is produced for production of Ext.P120, Ext.P121, M.O.45. Ext.P211 is the report regarding investigation of this crime after incorporating Section 364 IPC. Ext.P212 is form 15 for production of Ext.140. He had prepared Ext.P139 inventory mahazar for Ext.P140. Ext.P213 is forwarding note for sending the

M.Os 1 to 3 , M.O.17, M.O.18 for FSL examination. Ext.P124 mahazar was prepared by PW93 for M.O.45 series and the same was produced before court as per Ext.P124(a) report. Ext.Ext.P214 is form 15 for production of M.O.45 series. Ext.215 is the forwarding note produced for sending M.O.45 series , M.O.46, Ext.P103, M.O.41 series for FSL examination. It was PW93 who collected Ext.P100 series, P101 and P102, after describing the same in Ext.P141 mahazar. Ext.P141(a) is the report for the production of Ext.P141 before Court. Ext.216 is the form 15 for production of Ext.P100 series, 101 and 102. Ext.P217 is the form 15 for the production of Ext.P57 series before court. This crime was also investigated after incorporating Section 203 IPC for which PW93 filed Ext.P218 report. Ext.P219 series (2 numbers) are the form 15 for the production of Exts. P135, P132, P133, P149, P150 series, P151, P152 series, P153 series, , P154 , P155 , P187 , P188 , P189 ,P190, P192, P193, P194, P195 series, P196 and P197 series. Ext.P220 is form 15 for production of Ext.P83 scene plan before court. Ext.P221 is form 15 for the production of Ext.P69. Ext.P222 is form 15 for the production of Ext.P81 . Ext.P223 is the report for the production of Ext.P98. Ext.P224 is form 15 for the production of Ext.P2 and P148.

It was PW 93, who completed the investigation and finally laid the charge before court.

314. Deputy Superintendent of Police, Crime Branch, of Thiruvananthapuram Rural District Police Head Quarters, PW95 conducted investigation of this crime. He produced Ext.P231, order authorizing PW95 to conduct investigation of this crime. Ext.P232 is its report. Initially the crime was registered U/S 174 Cr.P.C. Subsequently, Section 302 IPC was incorporated and investigation was conducted in that line. Ext.P233 is the report regarding incorporation of Section 302 IPC. The records which were already submitted before the Sub Divisional Magistrate Court were brought to JFCM, Neyyattinkara as per the request of PW95 and Ext.P234 is the report. PW95 arrested A1 at MICU, Medical College Hospital, Thiruvananthapuram on 31.10.2022 with the aid of PW64. Arrest memo, Inspection memo, custody memo and arrest intimation were marked as Ext.P235 series (4 numbers). PW95 recovered M.O.40, M.O.40(a) and M.O.40(b) from A1 through PW64 as per Ext.P127 seizure mahazar. Ext.P236 is the report . PW95 identified M.O.40, M.O.40(a) and M.O.40(b) in the court. The same were produced before court under KPF 151-A Form, Ext.P237. PW95 produced A1 before Magistrate as per Ext.P238 remand application.

Subsequently, it was revealed that offence U/S 201 IPC was also alleged to have committed and hence Ext.P239 report was filed before court about the incorporation of Section 201 r/w 34 IPC and its investigation. When it was revealed that A2 and A3 were also involved in this crime, Ext.P240 report was filed for arraying A2 and A3. PW95 arrested A2 . Arrest memo, inspection memo, custody memo and arrest intimation of A2 were marked as Exts. P241 series (4 numbers). PW95 also arrested A3. Arrest memo, Inspection memo, custody memo and arrest intimation of A3 were marked as Ext.P242 series (4 numbers). PW95 produced A2 and A3 before Magistrate as per Ext.P243 remand report. PW95 seized the mobile phone of A2, M.O.43 and sim card, M.O.43(a) at the time of arrest and the same were described in Ext.P111 mahazar . Ext.P244 is its report. He produced M.O.43 and M.O.43(a) before court as per Ext.P245, KPF 151A Form. He identified M.O.43 and M.O.43(a) in the court. He had also seized the mobile phone of A3, M.O.44 and SIM card M .O.44(a) at the time of arrest of A3 from his possession and the same were seized after describing in Ext.P112 seizure mahazar. Ext.P246 is its report. He identified M.O.44 and M.O.44(a) in the court. He produced M.O.44 series before court under Ext.P247, KPF 151 A Form.

315. PW95 deposed that during the course of interrogation of A3 he had voluntarily and without any threat, pressure or influence had confessed that he had thrown the bottle to a pond and the same can be recovered if he is taken to that place and accompanied by Police. Basing upon the information given by A3, the Police team was lead by A3 to a place near to Sreekrishna Swami Temple, Ramavarmanchira, Idakkodu village, Tamilnadu. PW95 further deposed that M.O.6 bottle was recovered as per the disclosure by A3 from the place where A3 had abandoned M .O.6. The recovery was effected after describing in Ext.P36 seizure mahazar . The relevant portion of confession of A3 in Ext.P36 "ബോട്ടിൽ ഒരിടത്തു ഇട്ടിട്ടുണ്ട്. എന്നെ കൊണ്ടു പോയാൽ അതു ഞാൻ എടുത്തു തരാം." The said relevant portion was marked as Ext.P36(a). The said mahazar was produced before court as per Ext.P248. PW95 identified M.O.6 in the box. He produced M.O.6 in the box as per KPF 151 A Form , Ext.P249. PW95 further deposed that it was A3 who has shown the rubber plantation in which M.O.6 bottle was initially thrown out by A1 and Ext.P38 scene mahazar was prepared after seeing the rubber estate. Ext.P250 is the report for the production of Ext.P38. PW15 , is an attester to Ext.P38 mahazar prepared after seeing the rubber estate belonged to A3. He was present at the time Police

brought A3 to the rubber estate and also while preparing the mahazar.

316. PW95 seized M.O.29, scooter bearing registration No. TN 75 4115, which was used by A3 for hiding M.O.6 at Ramavarmanchira. Ext.P41 is the seizure mahazar prepared by him . 102. The owner of Activa Scooter bearing registration number, TC 75 H 4115 is A3 who produced the same before Police on 1.11.2022 at Poovampallikonam. A mahazar was prepared for the recovery. It was attested by PW17, a social worker and formerly Block Panchayath President. He identified A3 who, according to PW17 produced the Activa Scooter to Police . The same was kept at the backyard of Greeshma's house at Poovampallikoanm. He identified his signature in the mahazar, prepared for the recovery of scooter and marked as Ext.P41. PW32, also identified his signature in Ext.P41 and also M.O.21 scooter produced before court. He also identified A3 in the dock. PW95 identified M.O.29 scooter kept at the court complex. Ext.P251 is the report for the production of Ext.P41 and Ext.P252 is the KPF 151 A Form for the production of M.O.29. PW95 prepared mahazar after seeing the shop run by PW6 at Kaliyikkavila from where A3 purchased M.O.6 and Ext.P22 scene

mahazar was prepared by him to that effect. Ext.P253 is the report regarding production of Ext.P22 before court.

317. It was revealed during the course of investigation that it was A2 who purchased kashayapodi from Gayathri Hospital, Poovar. PW95 prepared Ext.P32 mahazar after seeing the Gayathri Hospital, Poovar. Ext.P254 is the report regarding the production of Ext.P32 before court. He recovered M.O.30 kashayapodi and M.O.31 prescription as per Ext.P32 mahazar . He identified M.O.30 and M.O.31 in the court. Ext.P255 is the KPF 151 A Form for the production of M.O.30 and M.O.31 before court. Ext.P256 is the KPF 151 A Form for the production of M.O.31 before court.

318. PW95 produced Ext.P57 and Ext.P57, the treatment certificates of Sharon Raj at Fort Hospital as per Ext.P257, Form 15 , before court. He filed report regarding investigation of this crime after incorporating Section 201 r/w 34 IPC. PW1 produced M.O.1 to M.O.3 dresses worn by Sharon and the same were described in Ext.P76 mahazar and produced before court under Ext.P259 report. PW95 identified accused 1 to 3 in the dock. Ext.260 is the property regarding the production of M.O.1 to 3, M.O.31, M.O.32,m M.O.33 and M.O.39 before court. M.O.4 book was kept in his safe custody

for the purpose of investigation and PW95 submitted Ext.P261 report to that effect. He recovered M.O.34 , M.O.36 series, M.O.37, M.O.38 and M.O.39 after describing the same in Ext.P77 mahazar and produced the same before court as per Ext.262 report. PW95 identified M.O.34 to 39 in the court. Ext.P263 is the report regarding production of M.O.34 to 39 to court. He seized Ext.P130 after describing in Ext.P45 mahazar. PW95 produced Ext.P115. Section 65 B certificate and Ext.P116 hash value certificate. Ext.P264 report is pertaining to production of Ext.P45 before court. Ext.P265 is Form 15 for the production of Ext.P130 , 115, and 116 before court. PW82 produced Exts.P113, 114, 131, and 149 and the same were described in Ext.P63 mahazar . Ext.P266 is the report regarding production of Ext.P63. Ext.P267 is Form 15 for production of Ext.P113 , 114, 131, and 149 . M.O.5 was produced by PW1 to PW95 and the same was described in Ext.P78 mahazar. PW95 identified M.O.5 in the box. Ext.P268 is the report regarding the production of ext.P78 before Court. Witness identified M.O.5 series in the court. The same were produced by PW95 as per Ext.P269, KPF 151 A Form.

319. A1 was obtained from judicial custody to Police custody and she was interrogated. PW95 deposed, without any threat, pressure or influence from any corner A1 had confessed to him that the vessels , glass, kashayapodi, thali, bangle, idol etc. were kept in her house and she can show the same if she was lead to her house. Basing upon the information given by A1 the Police team was lead by A1 and M.O.9 to M.O.14 were recovered as per the disclosure of A1 to PW95. The recovery of M.O.9 to M.O.14 were described in Ext.P37 mahazar. PW95 identified M.O.8 to M.O.14 in the box one by one. Ext.P270 is the report regarding the production of Ext.P37 before court. Ext.P271 is the KP 151 A Form for the production of M.O.8 to M.O.14 before court. The relevant portion of confession of A1 in Ext. P37 leading to recovery of facts , was marked as Ext.P37(a). PW95 deposed that A1 had given Ext.P37(a) disclosure statement to him as follows:

“കഷായമുണ്ടാക്കിയ പാത്രവും ഗ്ലാസ്സും ബാക്കി കഷായപ്പൊടിയും താലിയും ചരടും ഷാരോണിന്റെ വളയും ക്രിഷ്ണനും രാധയും വീട്ടിൽ വെച്ചിട്ടുണ്ട് . എന്നെ കൊണ്ടുപോയാൽ ഞാനത് എടുത്തു തരാം ”

320. He prepared Ext.P48 mahazar and recovered M.O. 16 to M.O.28 after describing the same in Ext.P48 mahazar. PW95

identified M.O.16 to M.O.28 one by one in the box. Ext.P272 is the report regarding the production of Ext.P48 before court and Ext.P273 is the KPF 151 A Form for the production of M.O.16 to M.O.28 before court. PW95 produced Exts. P7, P8, P9 mahazars prepared by PW80 before court as per Ext.P274 series (3 numbers) reports .

321. It was revealed during the course of investigation that Section 328 IPC was also alleged to have committed by accused and hence Ext.P275 report was filed for incorporation of S.328 IPC. M.O.16 to M.O.20(i) were kept in the custody of PW95 and he filed Ext.P276 report to that effect. Subsequently M.O.16 was produced before court as per Ext.P277 report . PW95 prepared Exts.P94 and P95 mahazars as shown by A1 and produced before court as per Ext.P278 series (2 numbers) reports. The security staff of Veli tourist village, attester to the Ext.P94 mahazar, PW60 was present at the time of preparing the mahazar by Dy.S.P. at Veli tourist village in connection with the investigation of this case. He deposed that A1 Greeshma was also with Dy.S.P. and Police team at that time and he identified A1 Greeshma in the dock. Driver , who came to Vettukadu church on 7.11.2022 , PW61, has attested the mahazar, Ext.P95 prepared by the Police after seeing the Vettukadu church

chapel , kadaloram restaurant, the shops etc. PW61 deposed that A1 Greeshma had accompanied Dy.S.P. and the Police team at the time of preparing Ext.P95 mahazar.

322. Ext.P19 horoscope of A1 was produced by PW89 before PW95 and the same was produced before court as per Ext.P279 report and Ext.P280 , Form 15. PW89 produced Ext.P10 series after describing the same in Ext.P11 inventory mahazar before PW95 and the same was produced before court as per Ext.P281 report. Ext.P282 is the Form 15 for the production of Ext.P10 before court. PW95 produced Ext.P61 which was produced by PW30 before him, as per Ext.P283 Form 15, before Court. PW79 produced Ext.P79 genital examination report and after describing the same in Ext.P166 mahazar, Ext.P166 was produced as per Ext.P284 report. Ext.P285 is Form 15 for the production of Ext.P79. PW79 produced M.O.48 and M.O.49 before PW95 and the same were produced under Ext.P286 KPF 151 A Form. PW79 produced Ext.P107 mahazar in which Exts. P 108 series, M.O.48 series were described. Ext.P287 report is regarding production of Ext.P107 before court. Ext.P288 series (3 numbers) are the Form 15 for the production of P108 series. PW89 produced Ext.P59 series and Ext.P60 series after describing the same in Ext.P59 mahazar and the same were

produced before Court by PW95. Ext.P289 P6 report . PW95 produced Ext.P58 inventory report before Court. Ext.P290 is the Form 15 for the production of Ext.P59 series and Ext.P60 series . Ext.P57 series were described in Ext.P56 mahazar. PW89 produced the same to PW95 who produced it before court as per Ext.P291 report. Ext.P292 is the report for keeping Ext. P57 series and P60 series in the safe custody for the purpose of investigation. Ext.P293 is the report for keeping Ext.P59 series in safe custody. As per Exts. P128 , Exts. P118 and P129 were produced. Ext.P294 is the report for the production of Ext.P128. Ext.P295 is Form 15 for the production of Ext.P118 and Ext.P129. Ext.P296 is the report for the production of Ext.P54 before Court. Ext.P297 is the report for the production of Ext.P55 mahazar prepared by PW89 after seeing Ext.P59. Ext.P298 is Form 15 for the production of Ext.P53 before court. Ext.P299 is the Form 15 for the production of Ext.P15 . Ext.P300 is the report for the production of Ext.P162 prepared by PW89 after describing about Ext.P73 and Ext.P74. Ext.P301 is the Form 15 for the production of Ext.P73 series and Ext.P74. Ext.P302 is the report for the production of Ext.P23 mahazar before court. Ext.P303 is the report filed by PW89 after revealing that it was paraquat poison administered by A1 to Sharon. Ext.P304 is the

report for the production of Ext.P27 mahazar after describing about Ext.P29 series. Ext.P 305 is the report for the production of Ext.P142, describing about Ext.P143 . Ext.P 142 mahazar was prepared after seeing Ext.P143 which was produced by PW6 .

323. PW95 deposed that it was revealed during the course of investigation that Ext.P145 invoice (marked from the side of accused during cross examination) was not the one issued to A3, Nirmalakumaran Nair. But it was 500 ml of kapiq herbicide. A notice was issued by PW95 to PW6 and PW7 in order to produce the actual invoice of the 500 ml. Kapiq herbicide which was sold to A3. PW95 further deposed that in June 2022 PW6 and PW7 appeared before him pursuant to the notice issued to him and have given statement to PW95 that 500 ml kapiq herbicide was sold to A3 Nirmalakumaran Nair without bill or invoice. According to PW95 he conducted investigation about this and came to know that 500 ml of kapiq herbicide was sold to A3 by PW6 without bill.

324. Ext.P306 is the report for the production of Ext.P144 describing about Ext.P145. Ext.P307 is the Form 15 for the production of Ext.P143 invoice. Ext.P308 is the report for the

production of Ext.P71. Ext.P70 was produced by PW38 to PW95 . Ext.P79 was produced by PW39 to PW95. Ext.P309 is the Form 15 for the production of Ext.P70 and Ext.P71. Ext.P310 is the report for the production of Ext.P46 mahazar. Ext.P311 is the report for the production of Ext.P47 describing about the M.O.7 motorcycle , Ext.P35 driving license and Ext.P34 R.C. book which were produced by PW1 to PW95. PW95 identified M.O. 7 motorcycle kept at the court complex. PW95 produced Ext.P147 series, specimen handwriting of A1 for comparison. Ext.P312 is the Form 15 for the production of Ext.P145 invoice.

325. A1 was obtained from Judicial Custody to Police custody and she was interrogated. It was disclosed by A1 that a dolo tablets were mixed in the juice at a bathroom of Medical Mission College, Neyyoor for conducting juice challenge and basing upon the information given by her PW95 prepared Ext.P125 mahazar after seeing the said bathroom. Ext.P313 is the report for the production of Ext.P125 before court. PW14 had produced a slice juice bottle and Ext.P42 mahazar was prepared for the purpose of proving that juice challenge was conducted by using the same slice juice bottle. PW95 identified the slice juice bottle, M.O.15 which was described in Ext.P42. Ext.P135 is the report for the production of M.O.15

before court. PW95 prepared Ext.P43 mahazar after seeing the Kuzhitharta Birdge and surrounding places where A1 and Sharon conducted juice challenge. PW95 deposed that it was A1 who had shown the bridge during the course of investigation. Ext.P316 is the report for the production of Ext.P43 mahazar before the court.

326. Ext.P318 is Form 15 for the production of Ext.P84 after seeing the register copies , Ext.P65 and 66 by PW33. Ext.P319 is the forwarding note for the FSL report and work copy after examining mobile phones, CCTV footages, pen drive etc. Ext.P320 is its report. Ext.P321 is the forwarding note for sending the materials for chemical examination to the laboratory. PW95 produced Form 15, Ext.P322 regarding Ext.P5 ownership certificate issued by PW42 in which it was certified that the occurrence took place at the residence belonged to mother of A1, Sreenilayam, Poovanpallikonam. Ext.P323 is the report for the production of Ext.P62 prepared by PW31 . PW95 recorded statements of CWs 1, 2, 4, 6, 9,10, 14, 16, 20, 27 to 31. It was PW90 who continued the investigation thereafter. PW95 arrested accused Nos. 1, 2, 3 and identified A1, A2, A3 specifically in the dock.

327. In the cross-examination PW95 deposed that there was a brief description about the investigation so far done by PW90 , but he would add to say that there was no conclusion report . PW95 admitted that he had seen medical reports , recorded statements of doctors, but nobody had suspected about paraquat poisoning . It is in evidence that soon before the commission of the crime on 14.10.2022 Greeshma was anxiously searching about the administration of paraquat herbicide, its consequences , how does it affect internal organs of human body etc. The expert opinions as discussed above are available in plenty that death was due to administration of paraquat poisoning. It is also in evidence that paraquat was not suspected because the same was not detected. Almost all the doctors have vouchsafed that 90% of the paraquat, if ingested, will be excreted within 24 hours by vomiting and loose stools. It is also in evidence that without disclosing the name of the poison either by patient or bystander, the presence of paraquat cannot be specifically detected in the blood examination. However, there is sufficient evidence that the severe injuries to the internal organs of Sharon such as liver, lung and kidney were due to administration of paraquat. **Therefore , merely for the reason that doctors did not suspect about paraquat, does not alone**

lead to the presumption that it was not paraquat which was the cause of severe medical condition of Sharon.

328. The recovery of M.O6, M.O.26 were duly done, which were videographed also for the purpose of transparency. The pendrive containing videography recorded during the course of investigation includes the recovery of M.O6 and M.O26 as lead by A1 and A3. The photographs will also substantiate the transparency in recovery. The same bottle was purchased by A3 from PW6. PW6 and 7 had deposed that they have sold the 500 ml paraquat and identified MO6 and MO 26. PW7 straight away went to the Magistrate and gave S.164 statement that he had sold 500 ml. Paraquat to PW6 in April and June, 2022. PW7 deposed in line with Ext.P30 , Section 164 Cr.P.C. statement. He specifically deposed that M.O6 bottle was sold to PW6. PW6 also gave evidence in tune with his section 164 statement, Ext P 26 that he purchased MO6 from PW7. PW 95 deposed that he has recorded statement of PWs 6 and 7 to the effect that they sold MO6 without bill . It was put to investigating officer in the cross examination that if at all such statements were recorded , the same were done only to rectify the mistakes by which 250 ml + 250 ml bill was obtained. So, concededly the bill/invoice of 250 ml +250 ml was produced by mistake.

329. As the kapiq herbicide was available at the house of A1, she had every access to the MO6. She admitted administration of herbicide to Sharon. In the circumstance, it can be inferred and safely concluded that 2 hours before the arrival of Sharon at the residence of A1, she was in possession of MO6. So also, the evidence of PW95 that he issued notices to PW6 and PW7 to produce the correct invoice or bill regarding the sale of M.O.6 and M.O.26 and they appeared before him and stated that 500 ml kapiq was sold without bill, is believable. The sale of kapiq herbicide is already banned in Kerala. However, the same is available in Tamilnadu. The shop run by PW7 is in the border of Tamilnadu. The shop run by PW6 is in Kerala. The evidence of PW6 that in case of urgency he used to buy kapiq herbicide from PW7 and he sold M.O.6 bottle to A3 after buying the same from PW7 because otherwise, he will loose a regular customer like A3 is trustworthy.

330. It is vehemently argued by learned senior advocate that the kapiq herbicide was not purchased either from PW6 or PW7, but as per the prosecution case it was procured from one John James Das. Learned Special Public Prosecutor submitted that John James Das is the owner of the building of PW 6. PW6 is tenant under him.

Admittedly, it is not mentioned in Ext.P36(a) that it was 500 ml of kapiq herbicide which was purchased from PW7 and therefore, it is argued that the prosecution failed to establish the purchase of 500 ml kapiq herbicide either from PW6 or PW7. As I have observed, both PW6 and PW7 specifically deposed about the sale of kapiq herbicide that it was 500 ml and sold without bill. M.O.6 and M.O.26 were duly recovered and the recovery was proved by the evidence of PW95 and also the videograph in support of the evidence of PW95. It is simply contended that it is not accompanied by Section 65B certificate attached to Ext.P101 pen drive containing the recovery of videos because Ext.P102 is the Section 65B certificate of Ext.P101. Though it is further alleged that all the visuals of recovery were edited to suit the convenience of investigating officer, it is not specifically stated which part of the video or visuals underwent editing. Ext.P101 pen drive, when played, is lengthy , containing all the recoveries and evidence which were already marked through prosecution witnesses. So far as the recovery of M.O.6 and M.O.26 is concerned, even without depending on Ext.P101 and Ext.P102 there is sufficient evidence to prove Ext.P38, P38(a). So also the contention that A3 has not shown the shop from where he procured M.O.6 as described in Ext.P22 has no substance.

Both PW6 and PW7 specifically deposed that they sold kapiq herbicide of 500 ml. PW7 has given Section 164 Cr.P.C statement to Magistrate that he sold M.O.6 to PW6 who in turn gave evidence that he sold M.O.6 to A3 without bill or invoice. In the circumstance the contention that PW6 purchased two bottles of 250 ml of kapiq herbicide from PW7 is not believable. As per Ext P 145 invoice, two bottles of 250 ml each kapiq herbicide were seen purchased by one Mahesh but complete address of PW6 is not there in the invoice. PW6 has given Ext.P26, S.164 statement to the Magistrate to the effect that he sold 500 ml kapiq herbicide to A3 . A3 was brought to his shop and he identified A3 . A3 used to purchase pesticides and fertilizers. PW6 identified the same in the box. He also identified his signature in Ext.P23 mahazar. In the cross-examination PW3 has admitted that PW7 has not issued bill for the purchase of kapiq herbicide. The conterfoil of the bill is also not there in the shop. He categorically stated in the cross-examination that the item was sold without bill. The witnesses are not responsible for the mistake committed by Police official who obtained Ext P145. It was not put to the notice of PW6 in the cross examination whether the invoice , Ext. P145 was issued to him by PW7 . PW6 had no opportunity to explain the situation in the cross-examination . Ext P 145 is not

confronted to PWs 6 and 7. So also PW7 identified M.O.6 and his signature in Ext.P27 mahazar with respect to M.O.6. It was in April and June, 2022 kapiq was sold to PW6 and he specifically identified M.O.6 as the one purchased by PW6 from his shop. He gave Ext.P30 statement to Magistrate with the above effect. It was not brought to the notice of PW7 about the invoice relied by the accused whether the same was given to PW6 and PW7 had no opportunity to explain. Nothing was put to PWs 6 and 7 about Ext P 145 in the cross examination. On the other hand, PW7 has stated that he has not given the counterfoil of the bill to Police. PW95 explained in the cross-examination that it was revealed during the course of investigation that the bill pertaining to two bottles of 250 ml of kapiq herbicide were not exactly the one, but it was 500 ml kapiq herbicide. PW95 issued notices to both PW6 and PW7 to produce bill and they have appeared before him and given statement that 500 ml kapiq was sold to A3 without bill. This appears to be correct because both PW6 and 7 have deposed before this Court that it was M.O.6 500 ml. Kapiq herbicide which was sold without bill. However, both have given statement U/S 164 Cr.P.C to Magistrate and also deposed before court that 500 ml kapiq herbicide was sold without bill and in the circumstance I find

no reason to disbelieve the version of PW95. I may again refer to the illustration (c) of section 8 of Indian Evidence Act. (c)A is tried for the murder of B by poison. The fact that, before the death of B, A procured poison similar to that which was administered to B, is relevant. It means, according to me, accused procured poison **similar to that which was administered** and need not necessarily be the exact poison which was administered. **In the circumstance, there is no meaning in arguing that it was two 250 ml bottles of kapiq herbicide which were sold to A3 by PW6 .**

331. Learned Senior Advocate pointed out that Sharon arrived at home at 2 p.m. on 14.10.2022 and therefore the case of PW1 that he reached at Parassala by 12 noon cannot be believed. It is pointed out that in the Ext.P1 statement PW1 has stated that Sharon arrived home at 2 p.m. on 14.10.2022. However, in the further statement given by PW1 he has stated that Sharon arrived at home back from Greeshma's house at 12 noon. PW95 explained in the cross-examination that at the time of giving FIS, and in such a tensed atmosphere, PW1 stated that it was at around 2 p.m. PW1 was not there in the house when Sharon came back home after visiting Greeshma. At 10.15 a.m. PW1 and PW92 were at

Valiyathura, the house of grandparents of Sharon. It is proved by the evidence of PW2 that he arrived at around 12 noon at Parassala and the neighbours had also seen PW2 and Sharon arriving at around 12 noon on 14.10.2022. Moreover, the whatsapp messages sent by Sharon to Greeshma and also the CCTV footages showing that PW2 riding motorcycle and Sharon Raj riding pillion etc. would also prove the fact that Sharon returned from Greeshma's house and arrived at his house at Parassala around 12 noon on 14.10.2022. Therefore, the contention of the accused is not sustainable.

332. It is pointed out by learned senior Advocate that the material aspects with respect to the engagement of Greeshma with Satheesh, administration of poison by Greeshma to Sharon, misleading the Police by giving false evidence stating that it was kadaleekalpam kashayam given to Sharon, Greeshma had given juice to Sharon mixed with paracetamol etc were stated only in the further statement of PW1, but the same were not there in Ext.P1. PW95 explained the position that FIS was recorded on 26.10.2022 and PW1 omitted to state those further details and hence such a statement was recorded. It is to be remembered that initially FIR U/S 174 Cr.P.C only was registered and at that point of time the

picture was not clear and the overt acts of accused were not revealed . Therefore, PW95 is justified in recording further statement of PW1 for which he has every authority. There is nothing unusual in giving such further statement after giving FIS when material facts were revealed.

333. It is next contended by accused that PW1, PW10 and PW92 were not aware about the relationship between Sharon and Greeshma before 14.10.2022. The same was denied by PW1, PW10, PW92 and PW95. PW95 deposed that even prior to 14.10.2022 Sharon had told to PW1 that he had relationship with Greeshma. He further stated that the said relationship was also stated by PW2 and PW3 to PW1. Moreover, PW95 deposed that PW3 has stated about the tying of the knot at the house of Sharon at Parassala and the same were told to family members of Sharon by PW3. Though family members were not there at the time of visit of Greeshma to Sharon's house, they came to know about it subsequently. Moreover, the nieghbours had also spoken that Greeshma has visited the house of Sharon on that day. PW3 had seen Greeshma going inside the house of Sharon. The photographs and the videos shot at the house of Sharon would also substantiate this fact. PW3 also had contact with Greeshma in connection with

the relationship between Sharon and Greeshma. PW1 has deposed that Sharon and Greeshma were in love from October, 2021 and they had decided to marry. Therefore, the family members of Sharon were aware about the relationship between Sharon and Greeshma.

334. It is contended by learned senior advocate that A1 was taken to Nedumangadu Police station only to harass her and also to extract a confession from A1 after exerting pressure and threat. PW95 has explained that A1 was taken to Nedumangadu Police Station because at Dy.S.P.'s office there was no facility to keep women accused persons and hence she was taken to nearest Vanitha Police Station. There is no meaning in arguing that A1 was threatened by Police and subjected to physical harassment in order to get confession from her, because when she gave statement to Magistrate she had no complaint against Police. Though specific questions were put to A1 by the learned Magistrate A1 had not stated anything about the harassment by the Police. PW95 is justified in keeping A1 under Police surveillance because at that time it was revealed that accused has committed offence U/S 302 IPC and they were proceeding to arrest A1 after complying the formalities. First accused attempted to commit suicide at 8 p.m. on

31.10.2022 while under Police surveillance which ,according to learned Senior advocate ,was because Police threatened A1 that her parents will be arrayed as accused. Had there been any harassment or torture from the side of Police, definitely accused would have stated the same to Magistrate. On the other hand she has stated a different story to Magistrate. She never stated to Magistrate that she attempted to commit suicide because of the pressure exerted by Police or harassment from the side of the Police. In fact, it was an idea of first accused to pretend suicidal attempt so as to get rid of the arrest and also to get away from the prosecution . PW95 has stated the same in the cross-examination. Though questions were put to PW95 with respect to attempt to commit suicide, PW95 deposed that the same was investigated by some other officer. I do not find any merit in the submission by the learned senior advocate that a false case was raised against the first accused by the Nedumangadu Police at the instance of PW95. PW95 came to know about the attempt of suicide and he went to the Police Station and the Medical College Hospital . Learned senior advocate then put to PW95 in the cross-examination why did not he arrest A1 despite having received confession statement admitting her guilt, PW95 replied that before proceeding to arrest A1 she had

attempted to commit suicide and she was removed to Medical College Hospital, Thiruvananthapuram. It is hypothetical argument that in order to extract confession only Magistrate was brought to record her statement because Police was not expecting her idea of suicide. As I have discussed above the statement given to magistrate is relevant fact.

335. Accused contended that Sharon attacked A1 at her home on 14.10.22. PW95 denied the story that Sharon assaulted A1 at her house after having picked up quarrel with her. This story cannot be believed at all because Ext.P229(a1) series and Ext.P230 would show very clearly that after having arrived at 10.28 a.m. on 14.10.2022,(as proved by Ext.P230(a21)) there were more than 50 messages sent by Greeshma to Sharon . Nowhere in the messages there is any indication of such assault or quarrel. On the other hand there were every pretention of love and she had expressed , love, care and anxiety of his medical condition . The reason for quarrel between the two as contended by accused that Sharon saw M.O.16 album at the bed room of Greeshma and also Sharon noticed the calls by PW84 , after searching the call details from the mobile phone of Greeshma etc cannot be believed at all because after Sharon left home of A1, there were intimate and lovely

conversations only. So also, the contention that after having beaten up Greeshma sustained injuries on her face , she went to bathroom and at that time Sharon drank the kashayam cooked for her mother is only a cooked up story. It is already proved that she had boiled kashayam in advance which is admitted in S. 313 examination. She also admitted that she mixed the kapiq herbicide in the kashayam, before Magistrate. She also admitted that she had prepared kashayam and had herbicide in her possession procured by A3 for agricultural purpose on that day. Therefore, the defence case and also the statement given by Greeshma U/S 313 Cr.P.C., that he drank it when she went to toilet ,were utter lies.

336. It is to be noticed that as per Sec. 313 (4) of the Cr.PC, the answers given by the accused may be taken into consideration in such enquiry or trial and put in evidence for or against him. In the decision reported in Mohan Singh Vs. Prem Singh (2002) 10 SCC 236 and State of Uttar Pradesh Vs. Lekshmi (1988) 4 SCC 336, it is held by the Supreme Court that a statement made by the accused U/S 313 Cr.PC can certainly be taken aid of to lend credence to the evidence let in by the prosecution.

337. In this case, 768 questions were put to the accused when she was questioned U/S 313 (1) (b) Cr.PC. She has flatly denied

many proved circumstances and it is evident that she has offered false explanations also to certain proved circumstances. It is settled law that it is not obligatory on the part of the accused while being examined U/S 313 Cr.PC to furnish some explanation with respect to the incriminating circumstances associated with him, and the Court must take note of such explanation, even in a case of circumstantial evidence, in order to decide whether or not the chain of circumstances is complete. When the attention of the accused is drawn to circumstances that inculcate in relation to the commission of the crime and she fails to offer an appropriate explanation or gives a false answer with respect to the same, the said act may be counted as providing the missing link for completing the chain of circumstances.

338. In **Govindaraju Vs. State of Karnataka (2013 KHC 4638)**, the Hon'ble Supreme Court held that in a case of circumstantial evidence it is obligatory on the part of the accused to offer some explanation with regard to incriminating circumstances. If he fails to offer an explanation or gives a false answer with respect to the same, the said act may be counted as providing a missing link for completing the chain of circumstances.

339. It is contended vehemently by learned senior advocate that as the available inputs will not yield any purpose prosecution managed to obtain a confession statement from A1 and for the purpose she was falsely implicated in a crime of Nedumangadu Police Station, taken to Medical College Hospital and then applied for recording of statement of A1 and ultimately PW95 obtained a statement from the first accused. Moreover, it is given in another crime, not in this crime in which the giver of statement is facing trial. This is not correct because Police was constrained to admit her to hospital when she ingested (?) lizol. It is incorrect to argue that her statement was recorded by Magistrate in another crime. As rightly pointed out by learned Special Public Prosecutor her statement was recorded before registration of crime by Nedumangad Police under section 309 IPC . Anyhow, the contention of accused that she was falsely implicated in the crime , Police tortured, threatened and exerted pressure to falsely implicate her parents also in this crime and she was left with no other option except to commit suicide are falsified by her own statement to Magistrate that no any sort of harassment was met out by her from Police. It is pointed out by learned senior advocate that the prosecution, howsoever wanted to bring an extra judicial confession

of first accused and to meet that end a Magistrate was brought to record the statement. An application was filed by the prosecution to the Chief Judicial Magistrate, Thiruvananthapuram who authorized PW76 to record the dying declaration of first accused at the Medical College Hospital. At that time Greeshma was admitted in the Medical College Hospital, Thiruvananthapuram from where the Magistrate recorded her statement. I do not find any foul play in order to extract a confession from A1 in this regard. The CJM court was moved legally and it was the duty of the prosecution to be transparent because the accused was under the Police surveillance at that time. In the circumstance, the prosecution case that Greeshma tricked the Police by pretending an attempt to commit suicide as a last resort to escape from the clutches of law, seems to be sound. It is also to be noted that she had no any serious medical condition and nothing is produced by defence to prove any impact after having lyzol.

340. It is submitted by learned senior advocate that had the investigating officer got information that accused was in possession of paraquat and A1 confessed to that extent, definitely recovery U/S 27 of Evidence Act could have been effected on the date of information itself, ie., 30.10.2022. PW95 has explained the

situation that at that time A1 was admitted in the hospital, she was arrested thereafter and immediately produced before Magistrate. Police custody of A1 was obtained from judicial custody and thereafter recovery was effected. Application for production warrant and Police custody were filed on 4.11.2022. PW95 deposed that in the affidavit accompanying the application he has mentioned about kapiq herbicide suspected to have administered to Sharon and he further deposed that A3 had procured kapiq herbicide from the shop at Kozhivila, Kaliyikkavila. This is the normal procedure and I do not find any infirmity in it.

341. PW95 deposed that after having used kapiq herbicide, A1 abandoned the bottle in the nearby rubber estate from where A2 and A3 collected the same and thrown to a bush near a pond at Ramavarmanchira and the same were revealed after interrogating A2 and A3. When A1 was interrogated on 29.10.2022, PW95 deposed, she had disclosed that M.O.6 bottle has been thrown to the nearby rubber estate. Being late, however, he did not go over there on that day. She then attempted to suicide and hence could not effect recovery on that day. Moreover, A2 and A3 had to be interrogated. It is to be noted that the mahazar, Ext.P38, after seeing the rubber estate was prepared on 1.11.2022 itself. PW 95

deposed that the recovery of M.O.6 was effected as per the information given by the accused persons. The disclosure statement was separately recorded in Ext.P38. The same is contained in the case diary.

342. Learned senior advocate submitted that there was no recovery of M.O.6 as lead by accused. It is to be noted that all the recoveries were effected as lead by accused and such recoveries were videographed and such videos were produced before court in a pen drive, Ext. P101 accompanied by P 102 , Section 65B certificate. Accused has no contention that in the visuals the pictures of accused persons are not that of them and visuals of recovery which were produced before court were concocted by the Police . Apart from the credible evidence of mahazar witnesses photographs are also produced . Both in the videos and photos of recovery accused , mahazar witnesses and Police team are seen. Therefore, there is no meaning in contending that there was no proper recovery effected pursuant to the information given by accused and as lead by accused.

343. Learned Senior Advocate put to PW95 about the questions asked by learned Magistrate when A1 was produced after arrest in this crime by the Parassala Police. The same was marked as

Ext.P238(a) . The first question was whether Police harassed accused to which she replied in negative. Secondly, it was asked whether she met with any assault or torture after arrest or while in custody to which also she replied that there was not such torture . The learned Magistrate has further recorded that she proceeded to the Medical College Hospital on 13.10.2022 and further recorded that A1 had no complaint of torture against Police. In Ext.P238(a) A1 has given statement that A1 was taken into custody by Police on 30.10.2022, brought to S.P. office, Thiruvananthapuram and interrogated her. As per A1's statement , learned Magistrate recorded that the interrogation completed by 1 p.m. and A1 was taken to Nedumangadu Police and she was kept in the Police custody . The next day when she saw her photograph in the Newspaper , due to mental agony she decided to end her life. A1 has categorically stated to Magistrate and reiterated her statement that she had no complaint against Police. The Magistrate has recorded the service of remand advocate to provide legal aid to accused was extended and allowed her parents to consult her for arranging a lawyer of her choice. It is further recorded that the Police complied with the formalities of arrest U/S 41(1b)(ii) Cr.P.C. It was found that the custodial interrogation of accused in Police

custody was highly essential and hence accused was remanded to judicial custody. In the circumstance, all those contentions raised by accused that there was no proper arrest, she was kept in illegal custody, she was tortured for the purpose of extracting confession etc. are of no avail.

344. It is argued on behalf of accused that Ext.P7 to P9 mahazars were falsely created in order to make it appear that Sharon vomited thrice on the way back home after visiting Greeshma on 14.10.2022 . PW2 specifically deposed that Sharon vomited thrice, after visiting Greeshma's house. In the CCTV footages it is seen that Sharon was riding pillion, leaning his head on the shoulder of PW2, who was riding the motorcycle. It is proved from Ext.P229(a1) series and P230 , whatsapp messages sent by Sharon to Greeshma that he vomited in green colour. Ext.P230 (a30) message was sent at 12.06 p.m. on 14.10.2022 which shows that Sharon vomited in green colour. PW2 specifically stated about the places where Sharon vomited thrice. Comparing the timings mentioned in Ext.P229(a1) series, Ext.P230 , CCTV footages and the medical records I have every reason to believe the version of PW2 that Sharon vomited thrice at 3 places. In the circumstance, the evidence of PW95 that he prepared Exts. P7 to P9 mahazars as

shown by PW2 after seeing the places where Sharon vomited thrice, is trustworthy. It is pointed out by learned senior advocate that Exts. P7 to P9 though alleged to have been prepared on 6.11.2022, produced before court only on 30.11.2022. PW95 deposed that he had sent Exts. P7 to P9 on 6.11.2022 itself. Then it is pointed out by learned senior advocate that Ext.P7 to P9 could have been prepared prior to 6.11.2022, had they got information from PW2 that Sharon vomited thrice on the way back from Greeshma's house. According to PW95, there was no any willful delay in this regard. I do not find any inordinate delay in preparing Exts. P7 to P9 mahazars. PW2 was interrogated on 31.10.2022 only. Thereafter, three more statements of PW2 was recovered and therefore, PW95 cannot be blamed for the delay of 5 days in preparing Exts. P7 to P9 mahazars. Exts. P7 to P9 were duly proved by the prosecution by examining attesting witnesses and the same could not be challenged by accused. So I find, Exts. P7 to P9 were duly prepared, produced before court on time and proved the fact that Sharon vomited thrice at the said three places.

345. The prosecution has alleged that Greeshma had every deceitful mind soon before the juice challenge conducted on 22.08.2022 and for the purpose she paved the way for sexual

intercourse with Sharon and both met on 13.06.2022 and 18.07.2022 at Golden Castle Inn as described in Ext.P36 mahazar. According to accused, A1 accompanied Sharon only because of love and affection towards Sharon and there were no such deceitful intention. Having regard to the proved circumstances that A1 got engaged with PW84 and also they wanted to meet again in November, 2022, Greeshma had planned murder and before that to make Sharon confident of her position , she agreed for the sexual intercourse at the resort. Accused admitted in section 313 statement that she had sex with Sharon at resort. An ordinary prudent man or woman cannot have sexual intercourse with a stranger or a lover in a situation where his or her marriage engagement with another was already conducted and they were expecting a married life. Therefore, I am persuaded to believe the evidence of PW95 that Greeshma had a long term plan, deceitful intention at the inception and for that purpose she had intercourse with Sharon on 13.06.2022 and 18.07.2022. It must not be forgotten that she herself searched out the safest places to go. After engagement and handing over of horoscope and gifts as it appears from the album , all the family members took part in the function, in which A1 seems to be very pleasant and hence she

wanted to marry PW84 only. I am also constrained to believe the evidence of PW95 that A1 never desired to live with Sharon. The story that Greeshma had deepest love in Sharon is hard to digest, according to me . Had it been true, she would not have attempted to kill him on 22.08.2022, one month after mating with Sharon at castle. In the circumstances, the argument by learned senior Advocate that Greeshma got engaged with PW84 due to the compulsion by her father and mother and Greeshma had in fact in her mind to elope with Sharon in Novemner is hardly believable. It is also not believable that the relationship between A1 and Sharon were not known to the family members of both Sharon and Greeshma . PW95 specifically deposed that as the date of marriage came nearer and after having failed in the attempt to commit murder on 22.08.2022, she wanted to kill him at any rate and hence mixed kapiq herbicide with kashayam and administered poison to Sharon on 14.10.2022. As per the available evidence the same appears to be true.

346. Exts. D2 to D26 are the whatsapp chats between Sharon and Greeshma on 13.10.2022 . According to accused, going by Exts.D2 to D26 it cannot be seen that Greeshma enticed Sharon for having sexual intercourse on 14.10.22. When it was put to PW95 he

denied the same. According to him it is clear from the whatsapp chats dated 13.10.2022 and 14.10.2022 that she had enticed Sharon to come to her house. Ext.P230(a19)(varanedi adanghe) message alone will go to show that she was hurrying up to get Sharon in her house and Sharon was sending reply to be calm and he will come soon. She was impatient and eagerly waiting for him. It must be remembered that all these messages were sent by Greeshma after cooking up kashayam mixed with kapiq herbicide after 7.30 a.m. and after having a detailed study about paraquat and how it affects in the human organs. Greeshma took this as an opportunity and she planned accordingly and such turning up of mind are visible from the whatsapp messages from 13th and 14th. The same was her modus operandi on 22.08.2022 while administering juice mixed with paracetamol. She even wanted to prevent Sharon from recording video because Sharon had suspected something in her action. Greeshma also had fear in her mind if the juice challenge is recorded that may come out later and she will be caught . So it happened. An ordinary prudent man can easily understand from the messages on 14.10.2022 that she howsoever wanted to get Sharon on that appointed day and for which, as I have observed earlier, she had enticed and induced him

to come to her house as she had deceitful intention in her mind. I have no hesitation to hold that Sharon was abducted by A1 by deceitful means. It is to be believed that from the moment she searched about paraquat in her mobile, she had formed intention to commit murder of Sharon. After having planned it well, she mixed poison in the kashayam . She had another deceitful intention to make it a kashayam challenge as he vomited and failed in the earlier juice challenge. She had scolded him for spitting earlier and hence this time she got an idea to conduct kashayam challenge. So, she made up her mind with intention to poison him, challenged him on 14.10.2022 . She knew, in the ordinary circumstance , Sharon who claimed to have married Greeshma will not go back from the challenge and to repose confidence and faith in her he will drink it and the same was the idea of Greeshma. The whatsapp messages will lead to these facts . One can very well infer from the circumstances that towards the end of messages , soon before the arrival of Sharon at her home, she was hurrying up and compelling him him to come soon to the house. It is also important to note that it was Greeshma who called Sharon for 4021 seconds at 23.02 hours on 13.10.2022 as seen in page No. 410 of Ext.P191. This call is admitted by Greeshma while examined U/S 313 Cr.P.C. So

coupled with these calls and the messages it can be inferred that she made every attempt to bring him home and planned the administration of poison accordingly. PW95 denied the suggestion put to him in the cross-examination that a story of administration of kashayam laced with poison was created when it was noticed that Greeshma had conducted search in her mobile about paraquat. Her guilty conscious after administering poison speaks volumes. It means she has no other go and hence she repeatedly said sorry to him.

347. The learned senior advocate for accused vehemently argued that Greeshma made search about paraquat at about 7.30 a.m. on 14.10.2022 because she was searching for committing suicide. It is pointed out by learned senior advocate that she has a tendency to commit suicide and that is why she made the attempt at Nedumangadu Police Station while under Police surveillance. It is further argued that it was an innocent search and A1 was not sure whether Sharon will come home on that day. Both the contentions will not sustain. It was not an innocent search for two reasons. Firstly, her conduct that she made an abortive bid to finish him on 22.08.2022 by administering juice mixed with paracetamol. The remnants of paracetamol and dolo were recovered from her house

as shown by her , the video of exchanging juice bottle in tricky manner coupled with 23 searches how to poison with paracetamol etc will prove this circumstance . Secondly and most importantly, soon after she came to know that Sharon died of poisoning , family of Sharon pointed accusing finger towards her, Police is after her and the law stretches its hand towards her , she deleted all the search history of paraquat . She even tried to search how to retrieve deleted search history. So, soon before the occurrence and after the occurrence, the conduct is very relevant U/S 8 of the Evidence Act. In the circumstances it cannot be termed to be an innocent search as argued by learned Senior advocate. So far as suicide attempt is concerned, by no stretch of imagination , going by the messages sent by Greeshma to Sharon and calls made it cannot be believed that she had planned to commit suicide. No any person desired to commit suicide in such a situation will search for hours and study in detail about a poison. Even in the attempt made at the Police station, she had not sustained any injury. It is to be noted that she appears to have not searched about lizol with which she wanted to commit suicide. It is argued by learned Special Public Prosecutor that being a clever accused, she had planned a drama so as to cover up her paraquat search made in her mobile phone so that a

contention can be advanced that similar search was made for committing suicide only and not to administer poison to Sharon. So also the argument that she was not sure whether Sharon will come over there, is not true going by the messages and calls made in this regard. Moreover, she wanted to settle safely after marrying PW84 for which Sharon should not be an obstacle and the intimate photographs between the two should not come to light .

348. PW95 deposed that PW2 knew everything and he had told PW 3 about everything including the disclosure by Sharon that Greeshma cheated Sharon and she administered poison to him. However, there occurred omission in the evidence of PW3 that he was a close friend of Sharon and Sharon used to share every secret and Sharon had told him that Greeshma has decided to marry another man. The same was proved through PW95. This omission, being not material, will not in any way affect the prosecution case. No any other omission and no contradiction except Ext.D1 were brought out so as to prove through PW95.

349 It is argued vehemently by learned senior advocate that no proof is available to show that death was due to poisoning. Neither in the chemical examination of viscera nor in the postmortem report or hystopathological report or in any other report it is shown that

death was due to paraquat, it is argued. As I have discussed above at length several opinion have come out in support of the prosecution case that death was due to Poisoning. It is not necessary to prove that in a murder by poisoning that death was due to a particular poison , but it is sufficient that death was due to poisoning. Greeshma has admitted before magistrate that she administered kashayam mixed with herbicide to Sharon. As she had researched about paraquat soon before administration of herbicide , it is clear that the what is meant by herbicide was paraquat. It is important to note that from the very beginning poison was suspected seeing the medical condition of Sharon. Almost all doctors have , ever since the admission of Sharon in the hospital and detected acute damage to internal organs, doubted about the ingestion of copper sulfate, a poison. Nobody had any idea of administration of paraquat . The same was also not known to Sharon as well. Despite enquiry to her, Greeshma did not reveal the name of poison. However, in the voice clip of Sharon he would say that the kashayam had the taste of the juice which he had taken on the other day, 22.08.2022, when she administered juice mixed with paracetamol. In the voice clip of Sharon he would say that it had distaste. He is afraid of his brother and in the voice clip

he stated that he cannot say to his brother that he ingested kashayam and hence he told his brother that he drank juice only. Therefore, throughout the medical examination being a bystander PW1 could not state about the paraquat to any Doctor. So also, Sharon was not able to speak about the exact poison administered by Greeshma. Anyhow, the doctors have suspected administration of poison though it was copper sulfate. It is proved from the evidence of experts that unlike other poisons, having regard to the severe lung injury coupled with the failure of all the internal organs, it was paraquat which was ingested in the body of Sharon. Therefore, it is proved by the relevant facts established as above, that death was due to poisoning. What is the poison administered could be revealed by examination of several doctors who attended every then and there . The expert opinions would clearly show that it was paraquat which was administered. At any rate accused cannot be heard to contend that death was due to poison.

350. Learned Senior Advocate submitted that Sharon has not in his dying declaration stated anything against Greeshma. This is totally incorrect. Sharon has specifically stated to PW68, Magistrate that his girl friend had given him kashayam on 14.10.2022 which was a glass full of kashayam. Merely because the dying declaration

does not contain every details of poisoning does not itself invalidate the declaration so made. The dying declaration of Sharon must have conjoint reading of the relevant facts admitted by Greeshma before Magistrate. On a harmonious construction of the two it is discernible that she gave him poison.

351. He had difficulty in speaking and breathlessness. Then it is pointed out that Sharon had no complaint against Greeshma . This argument does not appears to be sound because Sharon cannot by his own deeds exonerate his girl friend from the liability of murder. It is not the person, but the crime is to be punished. It is immaterial whether Sharon had got any complaint against Greeshma or not.

352. The question is whether A1 with intention to commit murder of Sharon caused hurt to his internal organs by means of an ayurvedic concoction laced with herbicide namely kapiq on 14.10.2022 at her house and thereby committed offence punishable U/S 328 IPC. It was revealed during the course of investigation that Section 328 IPC was also alleged to have committed by accused and hence Ext.P275 report was filed for incorporation of S.328 IPC. For the above stated discussions at length it is proved beyond any reasonable doubt that internal organs of Sharon sustained hurt because of the ayurvedic concoction laced with paraquat ,

administered by first accused. It is argued by learned senior advocate that S.328 IPC is not maintainable because Section 328 is pertaining to causing hurt by means of poison. This is a case of murder and therefore, causing hurt by means of poison or with the intent to commit or to facilitate the commission of an offence is punishable U/S 328 IPC, but the offence of murder is not mentioned in S. 328 IPC. Hence , it is argued that accused is to be acquitted of the offence U/S 328 of IPC. I cannot agree. The offence U/S 328 IPC is complete even if no hurt is caused to the person to whom the poison was administered. This section is merely an extension of provisions of Section 324 IPC. In order to prove an offence U/S 328 IPC, the prosecution is required to prove that the substance in question was a poison and accused administered the poison to other and accused did so, with intent to cause hurt or facilitate the commission of an offence. So far as this case is concerned, accused studied about the consequences of paraquat which if ingested will be absorbed by the body and gradually within 10 days all his internal organs will fail functioning. Accused was not expecting an immediate death. Learned Senior Advocate apprehended that had he died then and there, how can the body can be disposed off and hence a girl will not be dare enough to go to that extent. It is

proved from the medical evidence that paraquat , if ingested, the patient will die within 10 days and not then and there like cyanide poison etc. It is most important to see that the CuSO_4 , poison, could not be suspected and even in blood examination everything was found normal on 14.10.22 which means that the offender has learnt that immediate death will not happen . In her search history itself this information is available. This type of poison can not be detected without disclosing the name of poison that is why she never disclosed. Therefore, U/S 328 IPC, after administering the poison the patient may die or survive. Learned senior advocate further submitted that the mensrea U/S 328 IPC is only to cause hurt, but not death. The word administering any poison to facilitate any commission of 'an offence', according to me, is not restricted in causing hurt only . After causing hurt that may further aggravate and it may be a grievous hurt, then attempt to commit murder or murder itself. It is proved by the prosecution that first accused was directly responsible for administering poison and therefore, first accused is guilty of offence U/S 328 IPC.

353. While summing up all the evidence, the evidence of PW2 proved that Sharon Raj vomited at various places as described in Ext.P7, P8 and P9 mahazars. The message sent by Sharon that he

arrived at the house would corroborate the evidence of PW2 that Sharon and PW2 arrived in front of the house of A1 at 10.30 a.m. on 14.10.2022. A1 admitted while examining U/S 313 Cr.P.C that M.O.16 engagement album was there in the bedroom. The call made by Sharon to PW2 soon before starting from Greeshma's house would prove categorically that Sharon spent 20 minutes at the house of Greeshma on 14.10.2022. Evidence of PW2 that Sharon vomited in green colour is believable because the same is further corroborated by the whatsapp messages sent to Greeshma that he vomited in green colour. The evidence of PW2 that Sharon vomited at A1's house is proved by the corroboration of the whatsapp message sent by Sharon to Greeshma as to whether she cleaned the bathroom where he vomited. The evidence of PW2 that Sharon made a disclosure that Greeshma cheated him is further corroborated by the evidence of PW92 to whom Sharon disclosed his declaration soon before death that Greeshma cheated him. The evidence of PW2 that soon after having kashayam and juice from the house of A1 Sharon became sick and he was not able to drive motorcycle is proved by the CCTV visuals in which Sharon was sitting as pillion rider and leaning his head on the shoulder of PW2. The evidence of PW2 that while returning back, Greeshma

continued to call him is proved by CDR. These calls were to watch the progress of poisoning.

354. The evidence of PW3 that he was informed by the Doctor that poison has entered inside the body of Sharon is believable because the poison was suspected from the very beginning as per the medical records. PW3 made inquiry so as to know what was the poison administered by Greeshma. The evidence of PW2 that PW2 revealed the whole episode occurred on 14.10.2022 is to be believed in view of the circumstance proved. The evidence of PW3 that he made enquiry about the kashayam used by Greeshma for which he talked to Greeshma over phone and also the fact that Greeshma told him that it was kokilaksham kashayam, its label was lost, she sent maaza juice photo to the whatsapp number of PW3 and also that Greeshma lied could be proved in view of the corroborative evidence of PW2 about the narration of the whole episode on 14.10.2022 .

355. In Ext.P4(a5) Sharon made declaration that he cannot disclose to PW1, his brother that he took a concoction because Sharon always wanted to protect Greeshma. Had he disclosed the information that she gave a kashayam to him on 14.10.22 itself, being an Ayurveda Doctor PW2 could have found out. After he lost

his brother, he did his level best with Police team to bring the truth out, submitted by learned special public prosecutor. Ext.P4(a5) would also make it clear that Sharon disclosed that he drank the kashayam and juice having the similar distaste which he had experienced earlier. This declaration of Sharon is further proved by the recovery of Shadangapaneeyam , paraquat , slice juice and also admission of Greeshma that she gave kashayam to Sharon.

356. Greeshma had knowledge as enshrined in Section 300 IPC which is proved by Ext.P4(a6) that she also entertained doubt in the juice. Therefore, apart from the mixing of kapiq herbicide in the kashayam, Greeshma herself would go to an extent further that she had doubt in the juice also which he drank after kashayam for the distaste to go. The voice of Greeshma and Sharon was identified by PW1, PW3, PW94 and the mahazar witnesses. She researched about consequences which will happen in human body if paraquat is ingested. Therefore, it is proved that Greeshma had knowledge that what she administered was poison. The evidence of PW2, PW3, PW6, PW7, PW10, PW27, PW45, PW46, PW47, PW49, PW51, PW56, PW58 , PW59, PW63, PW66, PW68, PW76, PW77, PW92, PW94 and Exts. P4 series, P7,P8, P9, P36, P36(a), P48, P51, P55m P57(c), P57(d), P57(e),P57(e), P57(f), P57(g), P57(h), P57(i), P57(j), P57(k),

P57(l), P57(y), P59, P68, P80, P93, P97, P98, P105, P118, P119, P229(a series), M.O.6, M.O.16, M.O.26 are sufficient enough to prove that Greeshma administered kapiq herbicide to Sharon with intent to cause hurt to him and with intent to commit commission of offence of murder and that Sharon died of poison. It is also proved that first accused committed act of poisoning knowing fully well after research that poison kapiq herbicide is so imminently dangerous that it must, in all probability cause death or such bodily injury as it is likely to cause death, and committed such act without any excuse for incurring the risk of causing death or such injury as discussed above.

357. Section 300 Except in the case hereinafter excepted, culpable homicide is murder, ** ** * Fourthly-If the person committing the act knows that it is so imminently dangerous that it must, in all probability, cause death, or such bodily injury as is likely to cause death, and commits such act without any excuse for incurring the risk of causing death or such injury as aforesaid.

358. Greeshma committed the act of administration of poison. The paraquat herbicide is 100% dangerous poison which is well known to Greeshma through internet research. She knew that paraquat poison was so imminently

dangerous that it must in all probability cause death or such bodily injury as is likely to cause death. The act was also committed without any excuse for incurring the risk of causing death or such injury as aforesaid. The section thus applies in terms. Therefore, Section 300 fourthly IPC is squarely applied in this case. It is also proved that the overt act of the accused does not fall within the parameters of any exceptions of the offence U/S 300 IPC.

359. Now, the question is whether it was kapiq paraquat herbicide which was administered by Greeshma to Sharon. The evidence of PW6, PW7, PW51, PW59, PW63, PW68, PW76, PW77, PW94, Exts. P36, P36(a), P48, P80, P93, P97, P98, P105, P118, P119, P229(a), P229(e), P229(l), P229(a57), M.O.6, M.O.26 would prove sufficiently that it was paraquat which was administered by Greeshma, mixing it with kashayam. Through PW51, it is scientifically proved that M.O.6 contained paraquat and chemical examination report would corroborate it. It is proved through PW76 as per Ext.P118 that the kapiq herbicide purchased by A3 was kept at the house of A1 and Greeshma had possession of poison on 14.10.2022. Though it was kept for agricultural purpose and used as herbicide , after seeing kapiq paraquat herbicide Greeshma

conducted research on “how it works in the human body” 2 hours prior to administration of poison. She thought that it will be convenient for her because otherwise if any other poison is bought by her, she will be caught . The possession of paraquat even without the aid of Ext.P118 and substantive evidence of PW76, could be proved as per Exts. P36(a), confessional statement of A3, discovery of M.O.6, Ext.P36 mahazar, proved through PW11, independent witnesses, Ext.P101 pendrive, in which the entire discovery of facts were video graphed for transparency etc. Apart from that the evidence of PW6 and PW7 after having identified M.O.6 and M.O.26 it would further corroborate the possession of paraquat at the house of A1. PW77 testified that M.O.26 is a match label which could be wrapped around M.O.6 as reported in Ext.P119 FSL report.

360. PW59, Jaising Anandan in her Ext.P3 histopathology report opined that paraquat poisoning is the reason. PW63, Dr. Dhanya Raveendran in Exts. P97 and P98 opined that cause of death was paraquat poisoning and possibility of paraquat poisoning is highly likely to cause death of Sharon. It is admitted in Section 313 examination of A1 that she had prepared kashayam and kept in the bedroom. Ext.P105 dying declaration of Sharon was proved

through PW68 Magistrate that he took decoction on 14th, his girl friend gave the kashayam, he went to her house for collecting record book, she gave to him frooti to drink, kashayam tasted bitter, he took a glass full of kashayam, Greeshma told that it was an ayurvedic mixing , he had vomiting and loose stools on the first day and thereafter throat pain , difficulty to swallow, underwent dialysis etc. PW94 in Ext.P229(a) to P229(e) confirmed that A1 conducted web search 2 hours prior to administering of poison to Sharon on 14.10.2022 and it proves that Greeshma had intention to poison Sharon, she had opportunity to poison Sharon and could execute it well.

361. It is proved that A1 committed gruesome murder . A1 is not entitled for the benefit of age because the deceased also is of the same age. One hour and 80 minutes after execution of the target Greeshma sent “sorry” to Sharon. She was very much particular that Sharon should not go for treatment. It is proved by Ext.P229(a24) and P229(a25). She admitted her guilt of serving the kashayam as per several whatsapp messages including Exts.P229(a27) ,P229(a8), P229(a29) and Ext. P229(a30). It can easily be inferred with sufficient evidence that A1 administered kapiq paraquat herbicide mixed with kashayam to Sharon between

10.30 a.m. and 10.50 a.m. on 14.10.2022 at the bedroom of her house. U/S106 of the Indian Evidence Act Greeshma is expected to offer an explanation how Sharon vomited in green colour in the bathroom of the bedroom of her house soon after drinking kashayam, loose stools and vomit thereafter that took place within 2 hours after consuming the kashayam given by her. It is a strong circumstance indicating that Greeshma is responsible for commission of the murder. It is a premeditated murder executed with clear planning and cunningly attempted to exculpate by misleading the investigators and tampering with evidence. Her subsequent contact by deleting the entire data from her mobile phone proves that she wanted to confirm whether Police could retrieve the deleted data. It is proved from the evidence of PW94, Ext.P229 (a1 series) and P230 that from the cloud data the search made by Greeshma through M.O.40 mobile phone used by her were retrieved using Universal Forensic Extraction Device as she admitted that M.O.40 belonged to her. Accused has no case that someone else had searched about paraquat at 7.26 am on 14.10.22 via her google account using her mobile phone. the searches were made by her. It is proved that all the searches were made through her google account and she made the searches on 22.08.2022 and

14.10.2022 . All such searches were with ill motive and the criminal intention was patent and apparent exposing the brutality of mind to finish an innocent person. Greeshma admits some calls ,messages and searches but denies those which incriminates her, though both are from the same google account and from the same mobile.

362. No defence witness was examined. Exts. D1 to D26 will not help accused to prove any fact. No any contention raised by accused could be proved. The creditworthiness of any of the prosecution witnesses could not be impeached in the cross-examination and according to me, they are trustworthy witnesses. Their evidence have corroborated each other in material particulars. All the prosecution witnesses have deposed consonantly. Accused could not create any dent in the prosecution case. The relevant facts and circumstances proved by the prosecution are beyond any cavil. In the overview of above and in the narrative of the observations afore, it becomes inescapable that prosecution witnesses have fully supported the prosecution case and have corroborated each other in material particulars. They have deposed consonantly to prove every circumstances. There is no breakage of circumstances. All the charges leveled against accused could be proved by prosecution.. I find that prosecution could establish the

guilt of accused 1 and 3 beyond any reasonable doubt. I find that first accused is guilty of offences U/Ss. 364, 238, 302, 203 and liable to be convicted thereunder for those offences. A3 has also committed offence U/S 201 IPC and is liable to be convicted thereunder. However, it is found that A1 has not committed any offence and she is acquitted of offence U/S 201 r/w 34 IPC.

Chain of proved circumstances in nutshell

- 1.** Sharon Raj and Greeshma were in love which is admitted by A1 in 313Cr.P.C. statement . Ext.P4 series , P229(a1 series), P230 will prove this circumstance.
- 2.** Both have travelled together in the bus and motorcycle. They have visited Veli lake, Vettukadu church , Kuzhithura Bridge, Mekkodu, Chrisian Mission College etc. - Ext.P4 series, images and videos prove thses circumstances
- 3.** Sharon and Greeshma spent time together at A3's house at Mekkodu and took photographs . This circumstance is proved as per Ext.P4(f), P4(g), P4(h).
- 4.** 4.3.22. Marriage engagement between Greeshma and PW84 Satheesh, proved by the evidence of PW4, M.O.16, Ext.P19 and P20.

- 5.** Broken love between the two on 4.03.2022, proved through Ext.P118. Their reunion in **May, 2022** and A1 reposed confidence in Sharon Raj by interaction and sexual relationship proved by Ext.P118. The circumstance that in the first week of May, Greeshma came to the house of Sharon stood proved by the evidence of PW3 and PW12.
- 6.** She even planned to elope with Sharon in the month of November, 2022 which admitted in 313 statement and Ext.P118.
- 7.** 4.5.22. Greeshma came to the house of Sharon, J.P.House, Samudayapattu, Parassala. Both went through a marriage ceremony. He knot a thali, proved by Ext.P4(s) and P4(t) video in which Sharon was saying, “today is our marriage”.
- 8.** 21.05.2022 . Greeshma and Sharon travelled together on a bike and by bus , proved by Ext.P4 series.
- 9.** 13.06.2022 - Greeshma and Sharon occupied room No. 2 at Golden castle Inn, Thripparappu . A1 admitted the same in 313 statement and also stated by PW16 and proved by Ext. P65 series.
- 10.** 21.06.2022 - Sharon and Greeshma visited beach and tourist village ,proved by Ext.P4 series.

- 11.** 18.07.2022 - Both occupied room No. 2 , Golden Castle Inn, Thripparappu, proved by Ext.P4(u), P4(v) , P4(w), P39, P66 series, PW16 and A1 admitted in S. 313 statement.
- 22.08.2022 - From 5.34 a.m. till 7.38 a.m. Greeshma made 23 different searches about the paracetamol overdose and toxicity of drugs etc. - A1 admitted the same in 313 statement, and proved by Ext.P4(a8), P4(a9), P229(g) etc. It is a proved circumstance from the evidence of PW3 and PW57, Exts. P4(z) video that she conducted juice challenge and before the challenge Greeshma had searched at 7:07:56 a.m. on 22.08.2022 via 'source chrome account' the link, flavoxic and Paracetamol interactions - Drugs .com and this was the first attempt to poison him.
- 12.** 22.08.2022 - Greeshma mixed paracetamol with slice juice secretly at the toilet of the Neyyoor Christian College . At 12 noon Greeshma conducted Juice challenge and made Sharon to drink slice juice mixed with paracetamol, proved by Ext.P4(x), P4(y), P4(z), P229(u), confirming the capture time as 22.08.2022 at 12:00:11 hours.
- 13.** 13.10.2022 - Lengthy call for one hour and seven minutes to entice him, at 23.02.36 on 13.10.2022 from her house to

Sharon while he was in J.P. House, Samudayapattu, Parassala. A1 admitted the call in 313 statement and proved through PW91 and Ext.P191 , 191(a).

- 14.** 7.26 a.m. on 14.10.2022 - Greeshma searched google for research about paraquat, its reaction, toxicity , usage, how to administer poison etc. from her mobile phone, proved by P4(a7), P229(a), P229(e) etc.
- 15.** 7.43 a.m. on 14.10.2022 - Greeshma started whatsapp chats to entice and abduct Sharon Raj by deceitful means from his house - PW2, P229(a1 series).
- 16.** 9 am on 14.10.2022 Sharon had dropped PW10 at 9 a.m. at Purakkakkal Finance , Kaliyikkavila, where she was working as a Cashier. Thereafter he drove motorcycle to Poovampallikonam with PW2 till the messages from Greeshma started to come. It shows that he was healthy before administration of poison .
- 17.** 10.20 a.m on 14.10.2022. A1 was alone at her home and A2 and A3 left A1's house . Ext.P (229(a11) message of Greeshma to Sharon that both left home.
- 18.** 10.21 a.m. on 14.10.2022 - Message of Greeshma to Sharon that she will keep the gate open- Ext.229(a13).

- 19.** At the next moment, **10:21:37** on 14.10.22 as per Ext.P229(a14) message she informed Sharon Raj that she will close the gate after Sharon entered inside the house.
- 20.** At 10.22a.m. on 14.10.22 as per Ext.P229(a15) message she informed Sharon Raj that she opened the gate. These messages will falsify the defence of accused that Greeshma had told Sharon not to come to their house and it was Sharon who compelled to enter inside the house of Greeshma.
- 21.** 10.23 a.m. on 14.10.2022 - As per Ext.229(a16) and 229(a17) , Sharon sent messages to Greeshma that he saw her mother passing by a scooter . It means that A1 had opportunity to administer poison in the absence of mother and uncle.
- 22.** 10.25 a.m. on 14.10.2022 - After repeated messages in every minutes she was in a hurry to get Sharon at her house so as to administration of poison. Sharon sent message to her to calm down and that he will come soon , proved by Ext.P229(a19)
- 23.** 10.29 a.m. on 14.10.2022 - Greeshma sent message to him to come inside. The defence of accused that she agreed

only to see him at road only is falsified by this message - Ext.P229(a22).

- 24.** 10.30 a.m. on 14.10.2022 - Sharon and PW2 arrived at the gate in front of Greeshma's house - P229(a21)
- 25.** Between 10.30 a.m. and 10.50 a.m. on 14.10.2022 - Greeshma administered poison to Sharon, proved by Ext. P105, dying declaration of Sharon to his father and Magistrate, evidence of PW2 about his vomit, Sharon Raj sent messages to Greeshma that he vomited in green colour, her admission before Magistrate etc.
- 26.** 11.37 a.m. on 14.10.2022 -As per Ext.P229(a22), Greeshma sent first message after poisoning, "sorry ichaya" . This is out of guilty conscious. This message strengthen the case of prosecution, by that time Greeshma administered poison to Sharon. Till this time , there was no message between the two because they were together after 10.30 am till he makes call to PW2 who was waiting outside and his return journey to his house.
- 27.** 11.38 a.m. on 14.10.2022 - Ext.P229(a25) - Greeshma sent message to him to divert his attention and also to dissuade him from seeking medical aid saying that initially she

also had vomited after taking kashayam. It means that he vomited at her house after administering the poison by A1 and what she administered was kashayam laced with poison.

- 28.** 12.06 p.m. on 14.10.2022 -As per Ext.P229(a30), Sharon sent message to her that his vomit was green in colour.
- 29.** 12.06 p.m.(the next message) on 14.10.22 - As per Ext.P229(a35) message, Greeshma admitted to Sharon knowing about his vomit, "it was because of me".
- 30.** 12:06:23 on 14.10.2022 - Ext.P229(a31) - Greeshma admitted in the message sent to Sharon whether the vomit was due to the juice she gave to him and drank by him. So it is proved that she served him juice after kashayam.
- 31.** 12:06:46 at 14.10.2022 - Ext.P229(a33) - For the message sent by Sharon that his vomit was green in colour, Greeshma admitted, it was because of her. Therefore, she had knowledge as to what did she give to Sharon mixing with kashayam.
- 32.** 12.11 p.m on 14.10.2022 - Voice message of Sharon . He would say that he cannot disclose to his brother(PW1) that he drank this type of kashayam. Else, he told that he drank a juice having distaste which he had taken on earlier occasion.

It means that Sharon knew that she had mixed something poisonous with kashayam and at the same time he does not want to accuse Greeshma due to deepest love.

- 33.** 12.22 p.m. on 14.10.2022 - Ext.P229(a41) - Voice message of Greeshma, in which she appears to be in frustration (PW94 deposed so) and admitted to Sharon that she also doubts something wrong in the juice. It means that she wanted to divert the attention of Sharon that it was not kashayam, but juice.
- 34.** 4 p.m. on 14.10.2022 - Sharon sought medical aid at Parassala Taluk Hospital due to vomit, green in colour , loose motion black in colour . He was referred to MCH from Parassala hospital on that day.
- 35.** 5.31 p.m. on 14.10/2022 - Ext.P229(a44) message. Sharon informed Greeshma that his loose motion was black in colour.
- 36.** 5.34 p.m. on 14.10.2022 - Ext.P229(a49) Greeshma admitted, "it was because of me, sorry ichaaya". She said sorry a number of times which is proved by Ext.P229 series. It means soon after administration of paraquat with kashayam

she felt guilty and she admits in the message that she administered the poison.

- 37.** 09.08 p.m. on 14.10.2022 - Ext.P229(a51) message sent by Greeshma proves that it was in kashayam in which poison was administered and not in the juice because she doubted problem in the juice to divert his attention.
- 38.** 15.10.2022 Sharon consulted PW43, Dr.John as his medical condition started worsening.
- 39.** 16.10.2022 - Sharon went to Fort Hospital and consulted PW36, Dr. Amritha as his illness continued critical.
- 40.** 17.10.2022 - Sharon was admitted in the Medical College Hospital ,Thiruvananthapuram where number of doctors attended him, proved by Ext.P57 series .
- 41.** 19.10.2022 - PW56 Dr.Aruna suspected poisoning and asked the bystander to investigate about what was the poison ingested .
- 42.** 20.10.2022 - Ext.P105 dying declaration of Sharon was recorded by Magistrate in which he accused Greeshma for the first time for giving him kashayam on 14.10.22 at her house. He spoke to Magistrate this fact alone and he became speechless thereafter.

- 43.** 21.10.2022 - 3rd dialysis at Medical College Hospital, Thiruvananthapuram. By this time the entire poisonous contents ingested were excreted and consequently , could not find out poison in the postmortem examination.
- 44.** 22.10.2022 - 5.30 a.m. - Dying declaration by Sharon to his father, PW92, at ICU, Medical College Hospital that Greeshma enticed him to go from his house to her house, had sex with her, she administered kashayam mixed with dangerous poison to him on 14.10.22 at her house and thereafter he started vomiting and loose stools.
- 45.** 22.10.2022 - PW1 contacted A1 seeking details of kashayam given to Sharon and Greeshma misled him, proved by her voice message.
- 46.** 25.10.2022 - 5.55 p.m. - Sharon died at MCH.
- 47.** 28.10.2022 - Greeshma searched, “how to retrieve deleted data” from her mobile phone. This was done when she smelt danger and when police asked her to appear for interrogation. It proves, she had deleted all the search history of paracetamol and paraquat and also the incriminating materials from her mobile phone and she wanted to confirm

whether the Police could retrieve the deleted data. The same is proved by P229(j), P229(k) etc.

- 48.** Ext P118 Statement of Greeshma to Magistrate, admitting that she administered poison to Sharon on 14.10.22 at her house, with Kashayam mixed with herbicide.

363. The circumstantial chain in this case is complete.

The above fifty plus circumstances from which the conclusion of guilt is to be drawn could be fully established. The facts so established are consistent only with the hypothesis of the guilt of the accused, that is to say, they should not be explainable on any other hypothesis except that the accused is guilty. **The moment paraquat was administered, the deceased complained bitter taste, burning sensation and drying up of the tongue and throat. He started vomiting and loose motion. He underwent treatment for 11 days. On a perusal of number of medical records it is discernible that he could not even drink a drop of water for days. He underwent dialysis for three days. He was consulted by number of doctors. All his internal organs were failed due to ingestion of paraquat.**) The circumstances are of conclusive nature and tendency. They exclude every possible

hypothesis except the one proved.) The chain of evidence is therefore so complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused and must show that in all human probability the act must have been done by the accused. **There can be no escape from the conclusion that death was due to poisoning.**

DECISIONS RELIED BY ACCUSED

364. Learned Senior Advocate for the accused relied the decision of Hon'ble Supreme Court in Anant Chintaman Lagu v. State of Bombay (1960 KHC 627) and contended that in order to prove murder by poisoning prosecution must establish that death took place by poisoning , that accused had poison in his possession and accused had opportunity to administer poison. As I have observed above all those points were proved by the prosecution. He also relied the decision of Hon'ble Supreme Court in Jaipal v. State of Haryana (2003 KHC 732) and contended that motive also to be proved. All the four circumstances including motive ,so far as this case is concerned, are already proved as discussed above.

365. The Supreme Court decision in **Hariprasad @ Kishan Sahu v. State of Chhattisgarh (2023 KHC Online 6980)** is relied by the learned Senior Advocate which also consists of four circumstances to be proved by the prosecution. Relying the Supreme Court decision in **Darshan Singh v. State of Punjab (2024 KHC Online 6017)** it is contended that there is no eye witness to the incident and therefore, the prosecution has to prove that those circumstances should be of a definite tendency unerringly pointing towards the guilt of the accused; that the circumstances taken cumulatively should form a chain so complete that there is no escape from the conclusion, that within all human probability, the crime was committed by the accused and they should be incapable of explanation on any hypothesis other than that of the guilt of the accused and inconsistent with his innocence. So far as this case is concerned there is no breakage of the chain of circumstances and all those links of circumstances are explained in detail and also reduced in nutshell as described above.

366. It is also argued relying by the same decision that PW1 failed to mention in his Section 161 Cr.P.C. statement about the involvement of accused and his subsequent statement before court during trial regarding involvement of accused cannot be relied upon. There is no such situation so far as the instant case is concerned. Prosecution has not sought to prove any fact during trial through the witness which such witness had not stated to Police during investigation, except to three omissions which were not material at all. In the decision relied by accused the defence was that deceased committed suicide. In the instant case accused has no case that Sharon committed suicide.

367. Learned Senior Advocate relied the Supreme Court decision in *Randeep Singh @ Rana v. State of Haryana* (2024 KHC Online 6647) and submitted that the “panchaseel” of the circumstantial evidence are not proved by the prosecution. The same has already been relied by the prosecution and discussed above. Relying upon the same decision it is argued that it is a case of brutal murder, but the brutality of the offence does not dispense with the legal requirement to prove beyond a reasonable doubt. In the instant case there are sufficient evidence to prove the involvement of the accused.

368. Learned Senior Advocate relied the Supreme Court decision in **Allarakhya Habib Memon Etc. v. State of Gujarat (2024 KHC OnLine 6421)** and contended that prosecution has not proved about the link evidence or safe custody of material objects, mainly M.O.6 and M.O.26, right from the time they were received at the Police Station and seized till the time the same reached the FSL. I have discussed above that prosecution witnesses including the photographer and photographs are eloquent enough to prove the recovery of material objects and PW95 deposed that the same were forwarded to the court immediately. I do not find any inordinate delay in seizure of the material objects and there were safe custody both in the Police Station and Court till the materials are reached at the FSL.

369. Accused also relied the decision in **Rajendra alias Raju v. State of Maharashtra (AIR 2002 SC 3390)** and contended that there is no evidence produced that Sharon went to the house of Greeshma under some misrepresentation or she abducted him by deceitful means. There are several relevant facts and circumstances as discussed in detail which are sufficient to hold that A1 abducted Sharon from Parassala to her house. The deceitful

means could be proved successfully with cogent evidence. Apart from the poisoning the abduction is also a repeated offence because in order to poison him on 22.08.2022 she sent messages to him to come and meet. It is proved with bulk of evidence that A1 had sent number of messages to abduct Sharon by deceitful means and at the same time she was preparing concoction for him at her home. Therefore, it is nothing but deceitful means by which Greeshma abducted Sharon.

DECISIONS RELIED BY PROSECUTION

370. Learned Special Public Prosecutor relied decision of Hon'ble Kerala High Court **Muhammed Iqbal v. Station House Officer, Manjeshwar Police Station (2018 KHC 752)** in which it was held that when the real cause of death of victim is in the special knowledge of accused alone who was in the company of the victim during the relevant time of commission of offence, there is a liability and obligation attached to the accused to explain the incriminating circumstance and he cannot wriggle out of the liability, otherwise he will be visited with the consequences thereof. In the instant case A1 has not discharged the obligation so attached

371. Learned Special Public Prosecutor relied the Supreme Court decision in *Buddhadev Saha v. State of West Bengal* (2023 KHC 6852) in which **Mahabir Mandal v. State of Bihar (1972 KHC 430)** was referred to in paragraph numbers 31 and 32 which are as follows:

“31. In *Mahabir Mandal* (supra), this Court has observed as under:- Empty reference has been made by Mr. Chari to report dated December 23, 1963 of the Chemical Examiner, according to whom no poison could be detected in the viscera of Indira, deceased. This circumstance would not, in our opinion, militate against the conclusion that the death of the deceased was due to poisoning. There are several poisons particularly of the synthetic hypnotics and vegetable alkaloids groups, which do not leave any characteristic signs as can be noticed on postmortem examination . (Emphasis supplied)’

“32. The above observation of this Court was based on the reference made in the *Modi’s Medical Jurisprudence and Toxicology*. Those references were also referred to by this Court, which are as follows:- It is quite possible that a person may die from the effects of a poison, and yet none may be found in the body after death, if the whole of the poison has disappeared from the lungs by

evaporation, or has been removed from the stomach and intestines by vomiting and purging, and after absorption has been detoxified, conjugated and eliminated from the system by the kidneys and other channels. Certain vegetable poisons may not be detected in the viscera, as they have no reliable tests, while some organic poisons, especially the alkaloids and glucosides, may be oxidized during life or by putrefaction after death, be split up into other substances which have no characteristic reactions sufficient for their identification'. In the instant case also the same situation has arisen. The 90 % paraquat was excreted within 24 hours and the remaining 10 % excreted within the remaining days. Moreover, after having undergone three dialysis there is no scope at all, according to expert, to find out paraquat in the viscera. All what will happen in a human body after having ingested paraquat were found as symptoms in the internal organs of Sharon and hence the expert opinion is admissible in evidence. Therefore, mere fact that paraquat was not detected is not a reason.

372. Learned Special Public Prosecutor relied the Supreme Court decision in **Anees v. State Govt. of NCT (2024 KHC 6256)**. It was held that non disclosure of the information about the incident to the police, not giving the details of the intruders even in

statement under S.313 Cr.P.C. etc. would really show that the explanation given was false which would become an additional link in the chain of circumstantial evidence in view of **Manu Sao v. State of Bihar, 2010(12) SCC 310** . In **Munna Kumar Upadhyay @ Munna Upadhyaya v. State of Andhra Pradesh, 2012 (6) SCC 174** it was reiterated that if the accused gave incorrect or false answers during the course of his statement under S.313 Cr.P.C, the Court can draw an adverse inference against him. In para 76 of the report, the Supreme Court observed as under:-
“76. If the accused gave incorrect or false answers during the course of his statement under S.313 Cr.P.C. , the court can draw an adverse inference against him. In the present case, we are of the considered opinion that the accused has not only failed to explain his conduct, in the manner in which every person of normal prudence would be expected to explain but had even given incorrect and false answers . In the present case, the Court not only draws an adverse inference, but such conduct of the accused would also tilt the case in favour of the prosecution.” Even without drawing adverse inference , there are sufficient evidence adduced by prosecution with regard to circumstances and relevant facts .

373. The prosecution relied the decision of the Hon'ble Supreme Court in **Balvir Singh v.State of Uttarakhand (2023 KHC 6894)** in which it is held, "Where an offence like murder is committed in secrecy inside a house, there will be a corresponding burden on the inmates of the house to give a cogent explanation as to how the crime was committed - Inmates of the house cannot get away by simply keeping quiet and offering no explanation on the supposed premise that the burden to establish its case lies entirely upon the prosecution and there is no duty at all on an accused to offer any explanation. S.106 would apply to cases where the prosecution has succeeded in proving facts from which a reasonable inference can be drawn regarding the existence of certain other facts, unless accused by virtue of his special knowledge regarding such facts, failed to offer any explanation which might drive the Court to draw a different inference." It is further held in the same decision, "If an offence takes place inside the privacy of a house, role of Courts in such circumstances assumes greater importance and it is expected that the Courts would deal with such cases in a more realistic manner and not allow the criminals to escape on account of procedural technicalities, perfunctory investigation or insignificant lacunas in the evidence as otherwise the criminals

would receive encouragement and the victims of crime would be totally discouraged by the crime going unpunished.” In this case Greeshma never explained about what transpired inside the residence of accused, except the confessions leading to recovery of material objects.

374. Learned Special Prosecutor relied the decision of Hon’ble Supreme Court in **Prahlad v. State of Rajasthan (2018 KHC 6905)** in which it was held that no explanation is forthcoming from the statement of the accused under S.313 Cr.P.C. as to when he parted the company of the victim and no explanation is there as to what happened after getting the chocolates for the victim . The silence on the part of the accused, in such a matter wherein he is expected to come out with an explanation , leads to an adverse inference against the accused.” Greeshma herein though admitted that she gave kadaleekalpam ,turned round and informed that it was shadangapaaneeyam. Several lies have come out of her mouth with respect to kashayam, prescription, name of doctor, medicine bottle, lable ,cap, name of shop etc. Hence it is to inferred that what is recovered as lead by accused were the poison which was administered .

375. Prosecution also relied on the decision in **Munna Kumar Upadhyaya @ Munna Upadhyaya v. State of Andhra Pradesh (2012 KHC 4315)** in which the Hon'ble Supreme Court held as follows:

“ In order to prove his innocence, A2 ought to have given satisfactory explanation in his examination under S.313 Cr.P.C. His evasive answers on these aspects coupled with cogent evidence presented by prosecution, rendered him criminally liable for alleged crime. It was held further, “13. As already noticed, the object of recording the statement of the accused under S.313 of the Code is to put all incriminating evidence against the accused so as to provide him an opportunity to explain such incriminating circumstances appearing against him in the evidence of the prosecution. At the same time, also to permit him to put forward his own version or reasons, if he so chooses, in relation to his involvement or otherwise in the crime. The court has been empowered to examine the accused but only after the prosecution evidence has been concluded. It is a mandatory obligation upon the court and besides ensuring the compliance therewith the court has to keep in mind that the accused gets a fair chance to explain his conduct. The option lies with the accused to maintain silence

coupled with simpliciter denial or in the alternative to explain his version and reasons for his alleged involvement in the commission of crime. This is the statement which the accused makes without fear or right of the other party to cross-examine him. However, if the statements made are false, the court is entitled to draw adverse inferences and pass consequential orders, as may be called for, in accordance with law." In para 50 it was held further, " In view of the above principles, it was expected of the accused to render proper explanation for his injuries and his conduct. However, he opted to deny the same and in fact even gave false replies to the questions posed to him. If the accused gave incorrect or false answers during the course of his statement under S.313 Cr.P.C., the Court can draw an adverse inference against him.". The circumstantial evidence are available in plenty . In fact, even without drawing adverse , matters in issue could be answered. However, wherever necessary the above dictum is applicable.

376. As regards to motive, learned Special Public Prosecutor relied the decision in **Mannu Sao v. State of Bihar (2010 KHC 4524)** in which the Hon'ble Supreme Court held that there cannot be any dispute to the fact that it is a case of circumstantial evidence as there was no eye witness to the

occurrence. It is a settled principle of law that an accused can be punished if he is found guilty even in cases of circumstantial evidence, provided, the prosecution is able to prove beyond reasonable doubt, complete chain of events and circumstances which definitely points towards the involvement and guilt of the suspect or accused, as the case may be. The accused will not be entitled to acquittal merely because there is no eye-witness to the case. It is also equally true that an accused can be convicted on the basis of circumstantial evidence subject to satisfaction of accepted principles in that regard. It is mandatory obligation upon the Court and besides ensuring the compliance thereof the Court has to keep in mind that the accused gets a fair chance to explain his conduct. The option lies with the accused to maintain silence coupled with simplicitor denial or in the alternative to explain his version and reasons, for his alleged involvement in the commission of crime. This is the statement which the accused makes without fear or right of the other party to cross-examine him. However, if the statements made are false, the Court is entitled to draw adverse inferences and pass consequential orders, as may be called for, in accordance with law.”

377. Again, learned Special Public Prosecutor relied the decision in **State of H.P. v. Jeet Singh (1999 KHC 451)** in which it was held as follows: “When the prosecution succeeded in showing the possibility of some ire for the accused towards the victim the inability to further put on record the manner in which such ire would have swelled up in the mind of the offender to such a degree as to impel him to commit the offence cannot be construed as a fatal weakness of the prosecution. It is almost an impossibility for the prosecution to unravel the full dimension of the mental disposition of an offender towards the person whom he offended. In this context we may extract the observations made by a two judge Bench of this Court (Dr.A.S.Anand, J.- as the learned Chief Justice then was and Thomas ,J) **in Nathuni Yadav v. State of Bihar (1998 (9) SCC 238)**: “17. Motive for doing a criminal act is generally a difficult area for prosecution. One cannot normally see into the mind of another. Motive is the emotion which impels a man to do a particular act. Such impelling cause need not necessarily be proportionally grave to do grave crimes. Many a murders have been committed without any known or prominent motive. It is quite possible that the aforesaid impelling factor would remain undiscoverable. Lord Chief Justice Champbeil struck a note of

caution in R.V.Palmer (Shorthand Report at p.308 CCC MAY 1856) thus; "But if there be any motive which can be assigned , I am bound to tell you that the adequacy of that motive is of little importance. We know, from experience of criminal courts that atrocious crimes of this sort have been committed from every slight motives; not merely from malice and revenge, but to gain a small pecuniary advantage, very and to drive off for a time pressing difficulties. Though, it is a sound proposition that every criminal act is done with a motive, it is unsound to suggest that no such criminal act can be presumed unless motive is proved. After all, motive is a psychological phenomenon. Mere fact that prosecution failed to translate that mental disposition of the accused into evidence does not mean that no such mental condition existed in the mind of the assailant." So far as the instant case is concerned, prosecution has successfully proved the motive behind the crime. Hence the above decisions are squarely applicable in this case.

378. Prosecution has also relied the decision of the Hon'ble Supreme Court in **Shanmughan v. State of Kerala (2012 KHC 4056)** and contended that there was no third person in the bed room and there are clear injuries on the deceased, which cannot be

self inflicted and therefore, poison could only be administered by the accused. Similar is the situation in this case.

379. This being a case of murder by administration of poison Greeshma has done it in utmost secrecy. She chose the time when her parents and uncle were away from home. Sharon had told PW2 that Greeshma has asked him to go there for sex . She had convinced him last night by lengthy call about their meeting. She took him into confidence with ulterior motive. Her preparations to the commission of the offence were secret and deceitful. She watched her opportunity and administered the poison in a manner calculated to avoid its detection. **The greater her knowledge of poisons, the greater the secrecy, and consequently the greater the difficulty of proving the case against him in some cases. But, it does not mean that a crime committed in secrecy or inside the house should go unpunished. Greeshma killed Sharon inch by inch. *Let me conclude this judgment , in metaphorical way of saying ,the God in the cloud saved the data of crime. Based on the principle Dr Edmond Locard that one can not leave the place of crime without leaving the trace of evidence, accused left large number of evidence in the cloud.*** For the aforesaid

discussions I find that A1 has committed offence under sections 328 and 302 of IPC and points 3,5 and 8 are found in favour of prosecution.

380. : (i) For the afore stated finding to point Nos 1 to 10 and proved circumstances as discussed above , it is held that accused No. 1 Greeshma has committed offence under sections 364,328, 302, 203 of IPC and I find that A1 Greeshma is guilty of offence under sections 364, 328, 302, 203 of Indian Penal Code and she is convicted for those offences under section 235(2) CrPC.

(ii) Accused No 2 Sindhu is acquitted of offence under section 201 of IPC, under section 235 (1) CrPC.

(iii) Accused No 3 has committed offence under section 201 IPC and he is found guilty of offence under section 201 IPC and he is convicted for the said offence un der section 235(2) CrpC.

381. Accused No 1 has committed offence under sections 364,238,302,203 of IPC and hence I am not inclined to apply benevolent provisions of Probation of Offenders Act. Accused is to be given opportunity to adduce evidence and submit arguments on question of sentence under section 235 (2) CrPC.

Dictated to the Confidential Assistant, transcribed by her, revised and corrected by me and pronounced in Open Court on this, the 17^h day of January, 2025.

**BASHEER.A.M.
ADDITIONAL SESSIONS JUDGE**

SENTENCE

382. **Point No 11:** The case was posted for evidence to be adduced by both sides with respect to hearing on question of sentence as per the decision in Sundar @ Sundar Rajan v. State by Inspector of Police (2023(3) KHC 6287) . This court heard the arguments on the point of sentence from both sides and made genuine efforts to elicit from the convict, all information that will eventually bear on the question of sentence from a broad sociological point of view, in compliance with the decision of the Hon'ble Supreme Court in Maniyappan v. State of Tamil Nadu (AIR 1981 SCC 1220).

383. Heard learned Special Public Prosecutor and learned Senior Advocate fairly conceded that Greeshma had left with no option except to give poison to Sharon because he had gone to the extent of blackmailing her with their intimate photographs taken from a bedroom and has become that much nuisance to her and hence this is 'justified murder' . Learned Senior Advocate further submitted that life imprisonment alone may be awarded in such circumstances. The convict Greeshma submitted before me that she

is post graduate in English Literature, She is the only child of her parents, they are aged and are to be looked after by her and hence least minimum punishment for the offence may be awarded to her. The learned Special Public Prosecutor Sri V S Vineethkumar submitted that the murder of the victim was committed by the convict in an extremely brutal, grotesque, diabolical, revolting, or dastardly manner so as to arouse intense and extreme indignation to the community. On the other hand, the learned Senior Advocate for the convict argued that the convict is having clean antecedents and there is no case registered against her for any offence prior to this case. According to the learned counsel for the convict, this is only a case in which at the most, life imprisonment can be awarded. It is also argued that it is improper to award death sentence in this case wherein circumstantial evidence is adduced to prove murder. I must remind myself that simply because of the attention of the media is drawn to the case, this case cannot be treated within the ambit of "rarest of rare cases". However, I must state with following reasons that it is rarest of rare case.

384. According to learned Special Public Prosecutor this, being an attempt of murder earlier and murder later, after breaching trust and love, is a rarest of rare case and hence the convict must be given capital punishment. The punishment for murder prescribed u/s 302 I.P.C is death or imprisonment for life and fine. U/S 354(3) Cr.PC it is stated that when the conviction is for an offence punishable with death or, in the alternative, with imprisonment for life or for a term of years, the judgement shall state the reasons for the sentence awarded, and, in the case of sentence of death, the special reasons for the sentence. It is clear that imprisonment for life is the rule and death sentence the exception, which can be awarded for special reasons.

385. The Hon'ble Supreme Court, in **Machhi Singh .V. State of Punjab (AIR 1983 SC 957)** and **Bachan Singh. V state Of Punjab (AIR 1980 SC 898)** laid down that life imprisonment is the rule and death sentence is an exception. In other words death sentence must be imposed only when life imprisonment appears to be an inadequate punishment and having regard to the exceptional circumstances of the crime I am inclined to impose maximum punishment.

386. In Machhi Singh (Supra) the Hon'ble Supreme Court considered 5 category of situations while dealing with the balance sheet of aggravating and mitigating circumstances . They are:

i. Manner of commission of crime. In the instant case, the commission of crime was extremely brutal . Greeshma killed Sharon inch by inch . Having failed in the previous attempt to poison Sharon, Greeshma followed him, offered sex and again enticed him with deceitful means and thereby abducted him from his house offering sex. She targeted his life months ago, made preparations to achieve the target because otherwise she has to fulfil the promise given to Sharon to elop with him in November, 2022 and can not marry PW84. Police have not incorporated section 307 IPC for the juice challenge . Apart from the so called justified murder, it is proved beyond any reasonable doubt that the convict has attempted to commit murder of Sharon 22.8.22. Though she is not convicted for that offence , in this sentence portion of judgment such aspect must be considered as this will add to the brutality of the crime. Only with mind of extreme brutality one can repeat the same crime against her boy friend or 'husband' while in love. She being a repeated offender , not entitled to mercy.

ii. Motive. The motive was to commit murder by administration of poison because she already got engaged with PW84 and before the proposed date of marriage she meticulously pre-planned to finish Sharon lest he will be an obstacle in her life. The same is admitted as the convict call it as justified murder. The reason for killing is extreme malice. At the time of previous attempt he was caught unaware while he is taking her to various places on his motor cycle for sharing love and on the day of second attempt also she cleverly pretended love and enticed after offering sex.

iii. Antisocial or socially abhorrent nature of crime . On 04.03.2022 Greeshma got engaged with PW84. While so, on 13.06.2022 and 18.07.2022 she had sex with Sharon at Golden Castle Inn, that too at a time when she used to contact PW84 and also PW84 used to visit her. During the subsistence of engagement with PW84, Greeshma married Sharon in May, 2022. On 22.08.2022 from 5.34 A.M. till 7.38 A.M. Greeshma made 23 different searches about the paracetamol overdose and toxicity of drugs and at around noon Greeshma administered juice to Sharon mixed with paracetamol under the pretext of juice challenge. The idea of Greeshma was to slow poisoning him and commit murder. Again, the convict actively sought to prolong the victim's suffering,

designed to cause extreme pain before death using gruesome methods , indicates cruel motive. It is socially abhorrent nature of crime because it is so repulsive and provokes intense anger in the community. Such a person can not be reformed. The concept of socially abhorrent crime is rarest of rare case.

iv. Magnitude of the crime . Herein the murder by poisoning shocked the conscience of the society which spread a message among youth that a girl can easily kill her boyfriend after having broken their relationship. Nowadays, the youths are following live in relationships . If it is viewed lightly, it is as good as use and throw and one can easily target his partner. It will send wrong message to society.

v. Personality of a victim of murder. The victim is a student. He was also of the same age of his assailant. He was in deep love with her, reposed confidence and believed her blindly. She misused the trust. Even at the death bed or while giving dying declaration to Magistrate he stated that he has no complaint against Greeshma because he did not want to punish her. Sharon knew that he was poisoned and cheated by Greeshma, but he did not disclose about it to number of doctors who attended him at various hospitals.

Moreover, the convict is a forward community whereas the victim belongs to a backward class.

387. In **Ram Naresh v. State of Chhattisgarh, (2012) 4 SCC 257**, the Apex Court mentioned aggravating and mitigating circumstances while considering whether death penalty is to be imposed. Out of aggravating circumstances, in consonance with the principles of the dictum, those applicable to this case are,

1) The offences relating to the commission of heinous crimes like murder by poisoning, abduction etc. Lengthy call for one hour and seven minutes to entice him, offered sex and while preparing poison with one hand she continued to send him intimate messages with the other. She knew, it was paraquat but she never disclosed, even when PW1 was running pillar to post to identify the poison to save his brother.

2) The offence was committed while the offender had already made an unsuccessful attempt and in the video of juice challenge it is clear, Sharon knew that she had mixed something dangerous in the juice and that is why he recorded it. Knowing it, Greeshma was found discouraging him from recording the video. Still, he maintained the love.

3) The offence was committed outrageously, depriving Sharon, who treated her as his sweetheart, from having even a gulp of water for 11 days, involving inhumane treatment and torture to the victim. What she learnt from the research could be executed and thereby his internal organs got damaged day by day. She misunderstood, the truth will not come out.

4) The victim was innocent. He never wanted to put Greeshma in trouble, despite after knowing full well that she broke the trust and in fact he wanted to save her from legal liability. He never scolded her or even in the messages sent to her he did not state any word of dislike. It is not him to pardon her but the State to take call on a crime.

5) The murder was committed for a motive for marrying PW84 and also destroy the intimate photographs with him which she thought that he may misuse it after her marriage.

6) It is a murder without provocation. No proof is brought to show that he caused any wrong to her, apart from the arguments by accused. On the other hand, she feigned love and after offering sex she enticed him with deceitful means and gave him concoction laced with poison under the pretext of kashayam challenge. Sharon never opposed and the subsequent messages sent by him to her

will openly declare his heart was filled with love towards her till he breathed last.

7) The crime was committed so brutally that pricks of shocks not only the judicial conscience but even the conscience of the society. Greeshma searched, "how to retrieve deleted data" from her mobile phone. This was done when she smelt danger and when police asked her to appear for interrogation. It proves, she had deleted all the search history of paracetamol and paraquat and also the incriminating materials from her mobile phone and she wanted to confirm whether the Police could retrieve the deleted data.

8. The murder was committed at the house of accused and the victim did not know the plan of the convict.

9. The offence was committed with an intention to create fear, psychosis in the public at large and it created panic among lovers and friends. It gave a message that a lover cannot be believed.

10. The death was caused by using 100% dangerous poison, kapiq herbicide, paraquat , which is hazardous to the life of human being.

11. The offence of murder and previous attempt were committed while the victim was in live in relationship with convict

and till the time of death the victim believed the convict. She committed breach of trust .When his conditions got worsened Greeshma did not contact Sharon or his friends or relatives.

13. The victim was innocent, helpless who relied upon the trust of relationship out of sincere and deepest love.

14. The convict was well planned to execute her target . There is substance in the submission by learned Special Public Prosecutor that convict cunningly and deceptively abducted the victim in secrecy for poisoning. It is further submitted that the convict had devilish thoughts in her mind to exterminate him to which the victim fell prey. I find substance in this submission.

388. The mitigating circumstances propounded in the same judgment are compared with instant case as follows:

1) *The manner and circumstances under which the offence was committed like extreme mental or emotional disturbance.* In this case accused have no such defence. No any message sent by her will show that she was under emotional mental disturbance. She was cool. She pretended love. It was the paraquat which boiling but not her heart.

2) *The age of the accused.* Age of the victim is not the sole criteria for death penalty. Both convict and victim were of the same age at the time of commission of offence and hence convict is not entitled for the benefit of age. I must also see the other side , bereaved family of the victim.

3) *The chance of the accused of not indulging in commission of the crime again and the possibility of the accused being reformed and rehabilitated.* Accused had attempted on 22.08.2022 to take the life of victim by administering juice mixed with paracetamol. On that day the convict started search at 5.30 a.m. till 7.30 a.m. about how to administer juice mixed with paracetamol to Sharon. She did not have any remorse when Sharon struggled for his life on that day. He had narrow escape from the poison. Thereafter she planned murder by corrosive poison so that it can not be easily detected , for which she conducted research at length on paraquat on 14.10.2022 soon before his arrival. Therefore, I find substance in the submission by learned Public Prosecutor that the convict had 'devilish thought' in her mind because only cunning and cruel criminal can repeat the offence. Such a person can not be reformed. There is no guarantee that she will not mix poison again in any other relationship , if she got mixed with society.

4) *The condition of the accused show that she is mentally defective.* Convict in this case has no such defence. She has sound state of mind and body. She is capable enough to execute such a heinous crime. The attempt of suicide was only a farce to divert attention of Police. Why did she wait till Sharon arrives her home had she really wanted to commit suicide? Why did not she conduct any google search about lizol because such searches were only for the targets. She produced copy of her distinction certificate in post graduation which shows that she is perfectly alright.

5) *The crime was not committed in premeditated manner.* It was well planned murder. Her premeditation for slow poisoning of Sharon to ensure his death was seen by administering over dose of paracetamol and also paraquat in the second attempt. She researched at length about the impact of poison on both the occasions and her every move were well planned. She, being a postgraduate in English with first class and distinction has also acquired commendable knowledge in information technology and after having searched number of times from her google account she planned the murder.

6) *Solitary evidence of eye witness.* There are 48 + number of proved circumstances which will in all aspects indicate the guilt of

accused and all the circumstances link in chain and it was complete in all aspects. It is not a rule that in a case of circumstantial evidence like this, death sentence cannot be awarded.

389. In **Shankar Kishanrao Khade v. State of Maharashtra, (2013) 5 SCC 546**, the Apex Court has laid down grounds for aggravating and mitigating circumstances and the theory of Crime test and RR test. The aggravating circumstances carved out are.

1) The cruel diabolic, brutal depraved and gruesome nature of the crime.

2) The crime result in public abhorrence shocks the judicial conscience or the conscience of the society or the community.

3) The reform or rehabilitation of the convict is not likely or that he would be a menace to the society.

4) The victim was defenceless.

5) The crime was either unprovoked or that it was

6) Premeditated.

All these conditions are proved to be in favour of the prosecution in this case in view of the discussion made in this judgment.

390. The guidelines which emerge from Bachan Singh case will have to be applied to the facts of this case where the question of imposition of death sentence arises: A balance sheet of aggravating and mitigating circumstances has to be drawn up and in doing so, the mitigating circumstances have to be accorded full weightage and a just balance has to be struck between the aggravating and the mitigating circumstances before the option is exercised.

391. The following are the aggravating circumstances in this case:

4. An innocent young boy was brutally exterminated. The convict killed not only the friend, but the concept of honest, pure and sincere love offered by a college student.
5. The convict managed to regain confidence after falsely agreeing to go through a marriage ceremony at his house and she offered sex etc. All these were believed

by the victim as true love. Trusting her words, he was compelled to move from his house as enticed by deceitful means.

6. After having arrived at her home and got Sharon in her custody, she misused the position, scolded him for not taking kashayam earlier and under the pretext of kashayam challenge she made him to drink kashayam.

7. The evidence of bleeding through penis as noted in the postmortem certificate reflects corollary of brutality . The victim was suffering from excruciating pain from lips upto his anus due to corrosive poison.

392. The following are the decisions in which death penalty was awarded for the principles stated therein. When the collective conscience of the community is so shocked, the court must award the death sentence."

(Devender Pal Singh v. State, N.C.T of Delhi and another, 2002 (5) SCC 234)

393. “It would be a failure of justice not to award the death sentence in a case where the crime was executed in the most grotesque and revolting manner”, **Ram Singh v. Sonia & Ors. (2007) 3 SCC 1**. In **Ajit Singh Harnamsingh Gujral v. State of Maharashtra (2011) 14 SCC 401**, the Hon’ble Supreme Court further held that ; “the distinction has to be drawn between ordinary murders and murders which are gruesome, ghastly or horrendous. While life sentence should be given in the former, the latter belongs to the category of the rarest of rare cases”. In **Mukesh and another v. State for NCT of Delhi and others on 5th May, 2017 (Nirbhaya Case, AIR 2017 SC 2161)** it was held that factors like young age of the accused and poor background cannot be said to be mitigating circumstances. In **Gurvail Singh @ Gala and another v. State of Punjab (AIR 2013 SC 1177)**, the Hon'ble Supreme Court held , “to award the death sentence, the aggravating circumstances (crime test) have to be fully satisfied and there should be no mitigating

circumstance (criminal test) favouring the accused. Even if both the tests are satisfied as against the accused, then the Court has to finally apply the Rarest of Rare Cases test (RR Test), which depends on the perception of the society and not “judge -centric”, this is whether the society will approve the awarding of death sentence to certain types of crime or not. While applying this test, the Court has to look into variety of factors like society’s abhorrence, extreme indignation and antipathy to certain types of crimes like rape and murder of minor girls and the court award death sentence, because situation demands, due to constitutional compulsion, reflected by the will of the people.”

394. As indicated earlier, the learned counsel for the convict had referred to the young age, socio economical status, good antecedents of the convict, absence of eye witness, circumstantial evidence etc. In view of the decisions supra, the statement of the accused as to the social background and family circumstances, age, absence of criminal antecedents and his good conduct cannot be

taken as mitigating circumstances to take the case out of the category of “rarest of rare cases”.

395. In determining the quantum of sentence, the court is required to bear in mind the crime and the criminal. As held by the Hon'ble Supreme Court in **State of Tamilnadu v. Nalini & Others, (1999) 5 SCC 253**: "... the measure of punishment in a given case must depend upon the atrocity of the crime; the conduct of the criminal and the defenseless and unprotected state of the victim. Imposition of appropriate punishment is the manner in which the courts respond to the society's cry for justice against the criminals. Justice demands that courts should impose punishment befitting the crime so that the courts reflect public abhorrence of the crime. The courts must not only keep in view the rights of the criminal but also the rights of the victim of crime and the society at large while considering imposition of appropriate punishment."

396. Similar view is expressed by the Hon'ble Supreme Court in **Raj Bala vs. State 72 of Haryana & Others (2016) 1 SCC 463**, wherein the Hon'ble Supreme Court has observed that, "One cannot remain a total alien to the demand of the socio-cultural milieu regard being had to the command of law and also brush aside the agony of the victim or the survivors of the victim. Society

waits with patience to see that justice is done. There is a hope on the part of the society and when the criminal culpability is established and the discretion is irrationally exercised by the court, the said hope is shattered and the patience is wrecked. It is the duty of the court not to exercise the discretion in such a manner as a consequence of which the expectation inherent in patience, which is the 'finest part of fortitude' is destroyed."

397. In **Susheel Murmu v. State Jharkhand, (2004) SCC CrI. 529** the Apex Court held, 'In rarest of rare cases the collective conscience of the society is so shocked that it will expect the holders of the judicial power centre to inflict death penalty irrespective of their personal opinion as regards desirability or otherwise of retaining death penalty, death sentence can be awarded. The Apex Court considered the circumstances that may entertain such sentiments of the community including.

(1) When the murder is committed in an extremely brutal, grotesque, diabolical, revolting or dastardly manner so as to arouse intense and extreme indignation of the community. As Greeshma killed Sharon inch by inch, it is extremely brutal.

(2) When the murder is committed for a motive which evinces total depravity and meanness misusing the position of trust etc. In

all whatsapp chats one can see the innocent man who without knowing the plan of his girlfriend trusted her blindly despite after vomiting on earlier attempt.

398. At this juncture, I am referring two decisions of the Apex Court . The first one is Rudrappa Ramappa Jainpur and others v. State of Karnataka AIR 2004 SC 4148, which held that “each case must rest on its own facts and the mere similarity of the facts in one case cannot be used to determine a conclusion of fact in another”. The second decision is Parasa Raja Manikyala Rao v. State of Andhra Pradesh, AIR 2004 SC 132 (para 9) which held that ‘Each case , more particularly a criminal case depends on its own facts and a close similarity between one case and another is not enough to warrant like treatment because a significant detail may alter the entire aspect. In deciding such case, one should avoid the temptation to decide cases (as said by Cordozo) by matching the colour of one case against the colour of another. To decide therefore on which side of the line a case falls, the broad resemblance to another case is not at all decisive’ .

399. The other grounds stated by the convict are not sufficient to be treated as mitigating circumstances. Considering the balance sheet of the aggravating and

mitigating circumstances involved in the case, it is very clear that life had been a continuous battle for the victim. Sharon was also young, a student at the time of death. His father became paralysed after suffering stroke which according to prosecution was due to shock of loss of his son. As the convict , the victim also had a dream.

400. This is a clear demonstration of exceptional depravity and extreme brutality towards a helpless boy. The extreme pain and torture inflicted upon the victim before his death is evident from the above facts and circumstances. The trauma in the ICU are self explanatory to show the inhuman behaviour of the convict. Hence, the contention that the case is purely based on circumstantial evidence alone is not true to facts. There is no rule of law that even if the case is purely based on circumstantial evidence and no eye witness, the court is debarred from awarding death sentence.

401. It is a brilliant crime which could be proved on a perusal of significant preparations confirming the paraquat google search with the medical records because all what were discernible in the search exactly happened and Sharon landed in such medical condition as revealed in the google search. It is a brutal crime because after having struggled even without having a drop of water he reached at a level of delirium and he was treated in terrific pain. Greeshma cheated him several times and being a repeated offender, not entitled for mercy.

402. In its 262nd report, which was submitted on August 31, 2015, the 10 th Member Commission headed by the Law Commission Chairman, Justice A.P Shah expressed hope that the report will contribute to a more rational, principled and informed debate on the abolition of the death penalty for all crimes. The death penalty is not found unconstitutional in India. Hence, the Law Commission Report as such is not a ground to exclude death penalty in murder cases.

403. It was held by the Hon'ble Supreme Court in *Anant Chintaman Lagu v. The State of Bombay*, 1960 (2) SCR 460 = (AIR 1960 SC 500): that in case of murder by poisoning, it is committed in utmost secrecy. In majority of cases there will only be circumstantial evidence. In a case of murder by poisoning, the proposition and fact to be proved according to the Supreme Court is whether the accused had the opportunity to administer the poison on the deceased. The motive of the accused is also incidentally interlinked and embedded in these facts and circumstances.

404. It was held in **Shivaji @ Dadya Shankar Alhat v. State of Maharashtra (2009 KHC 4273)**, the plea that in a case of circumstantial evidence death should not be awarded is without any logic. If the circumstantial evidence is found to be of unimpeachable character in establishing the guilt of accused, that forms the foundation for conviction. In the balance sheet of mitigating and aggravating circumstances, the fact that the case rests on circumstantial evidence has no role to play. In this case 48 unimpeachable circumstances as discussed above lead to

the conviction of accused persons. Therefore, death sentence can be awarded in this case.

405. After analyzing all the relevant materials let in by the prosecution and in the light of the well established principles including aggravating and mitigating circumstances as laid by the Constitution Bench in Bachan Singh's case and explained in Machhi Singh's case I conclude, the murder committed by the accused is extremely brutal and diabolical one. The medical evidence speaks volumes about the brutality of the crime.

406. Considering the above facts and circumstances , I am of the view that this Court will be failing in the duty if the maximum punishment prescribed under the law is not imposed on the accused. In the circumstances, death sentence alone would be proper and legal. Taking into consideration of all the facts and materials, it is crystal clear that the entire act of convict amounts to a barbaric and inhuman behaviour of the highest order. The manner in which the murder was carried out in the present case is extremely brutal gruesome, diabolical and revolting as to shock the collective conscience of the community.

407. The facts and circumstances of this case would indicate that the crime created grave impact on social

order. The gravity of the offence on the society is unparalleled. When the aggravating circumstances (crime test) outweigh the mitigating ones (criminal test), the court will typically impose a sentence on the higher end of the spectrum. The balance of justice tilts in favour of the proved aggravating circumstances. There was two attempts, one failed and the other accomplished, both held within a span of two months. For the afore stated reasons I have no hesitation to hold that this is a rarest of rare case .

408 On an over all view of all the circumstances in this case and on weighing the aggravating circumstances and in the absence of any mitigating circumferences I have no hesitation to hold that this case is one among the 'rarest of rare' cases, as discussed above, in which the lesser alternative is unquestionably foreclosed and special reasons do exist in this case within the meaning of S.354(3) Cr.P.C. to award death penalty to the accused for the offence U/S. 302 of Indian Penal Code.

409. I hereby acknowledge my gratitude to learned Senior Advocate who wholeheartedly co-operated to complete the trial within the scheduled time of three months. I am lucky in having

the opportunity to record the evidence of this case while defended by learned Senior Advocate Sri Sasthamangalam S Ajithkumar , a well versed scholar in criminal law. I also place appreciation to learned Special Public Prosecutor and his junior lawyers who contributed best service and co-operation throughout the trial. I congratulate the investigating officers, the entire Police team , Doctors and Scientific Experts who have done a brilliant job in unearthing the truth behind a brilliant crime. This case is a golden feather on the cap of Kerala Police which successfully brought material digital and forensic evidence otherwise it would have been a case of suicide or unnatural death. Unlike in the yesteryears, the Special Investigation Team made use of the scientific methods so that it could convince all that everything was transparent.

410. Let me conclude this judgment , in metaphorical way of saying ,the God in the cloud saved the data of crime coupled with the scientific principle of Dr. Edmond Locard that no one can leave the place of crime without leaving the trace of evidence, Greeshma carried the evidence with her in her mobile phone and she stored evrything in the cloud.

In the result, the accused 1 and 3 are sentenced as follows:

1. Accused No. 1 is sentenced to undergo rigorous imprisonment for a period of 10 (ten) years and fine of Rs. 1,00,000/- for offence U/S 364 of IPC. In default of payment of fine, she shall undergo Simple Imprisonment for 1 year.
2. Accused No. 1 is sentenced to undergo Rigorous Imprisonment for a period of 5 years and fine of Rs. 50,000/- for offence U/S 328 IPC. In default of payment of fine, she shall undergo simple imprisonment for six months.
3. Accused No. 1 is sentenced to death for the offence U/S 302 of the Indian Penal Code and accordingly the convict be hanged by neck till she is dead. Fine of Rs. 2,00,000/- (Rupees Two lakhs only) is also imposed on the first accused and in default, the fine will be recovered in accordance with the law.
4. Accused No. 1 is sentenced to undergo imprisonment for a period of two years for the offence U/S 203 IPC. No fine is imposed for this offence.
5. Accused No. 3 is sentenced to undergo Rigorous Imprisonment for a period of 3 years for the offence U/S 201 IPC and fine of Rs. 50,000/- (Rupees fifty thousand only) . In default of

payment of fine A3 shall undergo simple imprisonment for six months.

6. The substantive sentence of imprisonment ordered shall run concurrently.
7. Death sentence imposed on accused No. 1 will be subject to confirmation of the Hon'ble High Court of Kerala and for which the proceedings of the case will be forwarded to the Hon'ble High Court.
8. Certified copy of the judgment shall be immediately given to the convict free of cost.
9. The accused 1 and 3 are informed that they can file appeal against the judgment and order on sentence, within a period of thirty days as per Article 115 of the Limitation Act, 1963.
10. On execution of death sentence, the custodial sentence shall lapse.
11. In case sentence imposed on the accused is commuted or remitted by the appropriate authorities, she will be entitled to get set off the period of detention undergone by her.
12. The term sentences imposed as above shall run concurrently and it is allowed to be set off against the substantive term of imprisonment U/S 428 of Cr.P.C.

13. The accused No. 1 is committed to the Central Prison, Thiruvananthapuram under a warrant in Form No. 40 of Cr.P.C (2nd Schedule) in accordance with Sec. 366 (2) Cr.P.C.
14. All the fine amount , if realised, will be given to father and mother of Sharon Raj . Apart from this I request and recommend District Legal Services Authority to extent assistance by awarding victim compensation to the parents of the victim under Victim Compensation Scheme U/S 357 A CrPC. Soft copy of the Judgement shall be forwarded to DLSA forthwith.
15. A2 is acquitted U/S 235(1) Cr.P.C. Her bail bond stands cancelled and she is set at liberty.
16. The Material Objects produced and marked as M.O.s 1 to 51 shall be retained intact until further orders from the Honourable High Court of Kerala.

Dictated to the Confidential Assistant, transcribed by her, revised and corrected by me and pronounced in Open Court on this, the 20th day of January, 2025.

**BASHEER.A.M.
ADDITIONAL SESSIONS JUDGE**

APPENDIX**Exhibits for the prosecution :**

P1	26.10.2022	First Information Statement.
P2	07.01.2023	65 B Certificate (Phone & CD).
P3	26.12.2022	Mahazar prepared by hearing whatsapp chat voice clip.
P4	Dated Nil	Hard disk.
P4(a)	Dated Nil	IMG20211215082749 in hard disk.
P4(b)	Dated Nil	IMG20220521091008 in hard disk.
P4(c)	03.11.2021	VID_20211103_154948 in hard disk.
P4(d)	21.12.2021	VID_20211221160829 in hard disk.
P4(e)	31.12.2021	VID_20211231083027 in hard disk.
P4(f)	23.12.2021	IMG20211223124318 in hard disk.
P4(g)	23.12.2021	IMG20211223124321 in hard disk.
P4(h)		IMG20211223124328 in hard disk.
P4(i)	21.06.2022	VID_20220621111944 in hard disk.
P4(j)	21.06.2022	VID_20220621114420 in hard disk.
P4(k)	21.06.2022	VID_20220621123411 in hard disk.
P4(l)	04.12.2021	IMG 2021 1204135926 of hard disk.
P4(m)	04.12.2021	IMG 2021 1204140515 of hard disk.
P4(n)	04.12.2021	IMG 2021 1204141721 of hard disk.
P4(o)	04.12.2021	IMG 2021 1204141725 of hard disk.
P4(p)	04.12.2021	IMG 2021 1204141728 of hard disk.
P4(q)	04.12.2024	IMG 2021 120141732 in the hard disk.
P4(r)	04.12.2024	IMG 2021 120141733 in hard disk.
P4(s)	04.05.2022	IMG 2022 0504101050 in hard disk.
P4(t)	29.10.2022	VID – 20221029-WA0004 (modified date in hard disk.)
P4(u)	18.07.2022	IMG 2022 0718094906 in hard disk.

P4(v)	18.07.2022	IMG 2022 07180913 in hard disk.
P4(w)	Dated Nil	Q1- Evidence collection – Search item 5 and 6 (Google map search history report) Page 21482 in hard disk.
P4(x)	22.08.2022	IMG2022 0822120011 of hard disk.
P4(y)	22.08.2022	IMG 2022 0822120419 of hard disk.
P4(z)	22.08.2022	VID 2022 0822120014 of hard disk.
P4(a1)	14.10.2022	Data from Q7 – Video A01_20221014101249 (CCTV footage) in hard disk (Furniture shop).
P4(a2)	14.10.2022	Video A01_20221014115538 (CCTV footage) in hard disk (Data from Q7) (Furniture shop).
P4(a3)	14.10.2022	Data from Q8- Video A01_20221014101300 (CCTV footage) in hard disk (Akhil Petroleum).
P4(a4)	14.10.2022	Data from Q8- Video A01_20221014114300 (CCTV footage in hard disk) (Akhil Petroleum).
P4(a5)	Dated Nil	Data from Q4- PTT- 20221014-WA0005.opus (Voice clip.) in hard disk.
P4(a6)	Dated Nil	PTT-20221014-WA0006.opus (voice clip) in hard disk.
P4(a7)	14.10.2022	Sl.1757 Web search of paraquat wikipedia 1.56.08 (UTC+0) source chrome account.
P4(a8)	22.08.2022	Page 21995 Sl.No.4577 Web search of flavoxate and Paracetamol interactions – Drugs.com (01:37:56 UTC+0)
P4(a9) Series	Dated Nil	20 numbers off images of Web searches of various drugs.
P4(a10)	Dated Nil	Whatsapp chat Q4-file No: chat 442(text document)
P4(a11)	28.10.2022	Q1 folder – cloud data from Q1 page 9913 and 9914 Sl.No. 5 to 9 search details 18:29:52 (UTC+1) onwards up to 13:52:24(UTC+1).
P5	26.12.2022	Mahazar of CCTV footage.

P6	26.12.2022	Mahazar of CCTV footage.
P7	06.11.2022	Mahazar prepared by seeing the place where Sharon vomited.
P8	06.11.2022	Mahazar prepared by seeing the place where Sharon vomited near transformer at Ilanchira.
P9	06.11.2022	Mahazar prepared by seeing the place where Sharon vomited at Poompallikonam.
P10	14.10.2022	Out patient record.
P10(a)	15.10.2022	Treatment record.
P10(b)	16.10.2022	Out patient ticket.
P11	07.11.2022	Inventory mahazar of treatment record.
P12	26.12.2022	Mahazar prepared by seeing video and images.
P13	26.12.2022	Mahazar prepared by seeing images.
P14	26.12.2022	Mahazar prepared by seeing videos.
P15	26.12.2022	Mahazar prepared by seeing images.
P16	26.12.2022	Mahazar prepared by seeing videos.
P17	26.12.2022	Mahazar prepared by seeing images and google map search list.
P18	26.12.2022	Mahazar prepared by seeing video and images.
P19	Dated Nil	Horoscope of Greeshma, A1.
P20	01.11.2022	Inventory mahazar.
P21	26.10.2022	Inquest report.
P22	01.11.2022	Mahazar prepared at Pesticide shop, Kozhivila by Johnson. K. J, Superintendent of Police.
P23	13.12.2022	Mahazar of License.
P24	13.12.2022	3 rd party kaichit given by Mahesh Kumar.
P25	31.03.2021	True copy of License of Mahesh kumar.
P26	11.01.2023	164 statement of Mahesh kumar.
P27	13.12.2022	Mahazar prepared by DYSP Johnson. K.J.

P28	13.12.2022	3 rd party kaichit by Ravisankar (Receipt for license).
P29	05.09.2022	Self attested true copy of license of Ravisankar. (2 pages).
P29(a)	03.07.2019	License number KKM-MPRM-01/2019.
P30	13.01.2023	164 statement of Ravisankar.
P31	24.03.2020	Prescription of Gayathri Hospital.
P31(a)	19.09.2022	Prescription of Gayathri Hospital.
P32	01.11.2022	Mahazar by collecting Kashayapodi sample.
P33	Dated Nil.	3 rd party kaichit (RC book and bike received).
P34	Dated Nil	True copy of RC book.
P35	13.03.2018	Driving License of Sharon.
P36	01.11.2022	Recovery Mahazar
P36(a)	01.11.2022	A portion of Ext.P36 Mahazar "ബോട്ടിൽ ഒരിടത്ത് ഇട്ടിട്ടുണ്ട് എന്ന കൊണ്ടുപോയാൽ അത് ഞാനെടുത്ത് തരാം " .
P37	06.11.2022	Recovery mahazar.
P37(a)	06.11.2022	A portion of Ext. P37 mahazar (A relevant portion of confession statement of A1) "കഷായം ഉണ്ടാക്കിയ പാത്രവും, ഗ്ലാസ്സും ഞാനത് എടുത്ത് തരാം " .
P38	01.11.2022	Mahazar prepared by seeing rubber plantation.
P39	09.11.2022	Mahazar.
P40	09.11.2022	3 rd party kaichit given by Gladys Prabhu.
P41	01.11.2022	Mahazar prepared by seeing Activa Scooter. (T.N.75H 4115)
P42	09.11.2022	Mahazar prepared by seeing Amanu pillai Shop.
P43	09.11.2022	Mahazar prepared on Kuzhithura old bridge.

P44	Dated Nil	Consent letter given by P20, Sujith, Shop keeper.
P45	03.11.2022	Mahazar prepared by seeing CCTV visuals.
P46	08.11.2022	Mahazar prepared by seeing the house of Sharon.
P47	08.11.2022	Mahazar prepared by seeing the bike of Sharon. (KL 01 CC 3383)
P48	06.11.2022	Scene Mahazar.
P49	Dated Nil	Consent given by Sheeja, Petrol bank manager.
P50	11.11.2022	3 rd party kaichit given by Sindhu kumari.
P51	14.10.2022	Certified copy of OP Register
P52	11.11.2022	3 rd party kaichit of Bijitha.
P53	Dated Nil	True copy of daily report register, Taluk Hospital, Parassala.
P54	11.11.2022	Mahazar prepared by seeing OP Register.
P55	11.11.2022	Mahazar prepared by seeing daily report register.
P56	15.11.2022	Inventory Mahazar.
P57	Dated Nil	Case records of treatment of Sharon Raj.
P57(a)	14.10.2022	OP ticket (page 33 and 34)
P57(b)	17.10.2022	Token No.110 (page 35) of P57.
P57(c)	17.10.2022	Token No.93 of P57.
P57(d)	Dated Nil	Page 26 of P57.
P57(e)	22.10.2022	Page 99 of P57.
P57(f)	23.10.2022	Page 100 of P57.
P57(g)	17.10.2022	Page 73 of P57.
P57(h)	17.10.2022	Page 86 of P57.
P57(i)	21.10.2022 to 23.10.2022	Page 98 of P57.
P57(j)	19.10.2022	Page 102 of P57.
P57(k)	19.10.2024	Page 54 of P57.
P57(l)	Dated Nil	Page 55 of P57.
P57(m)	19.10.2022	Page 56 of P57.

P57(n)	19.10.2022	Page 57 of P57.
P57(o)	20.10.2022	Page 63 of P57.
P57(p)	Dated Nil	Page 64 of P57.
P57(q)	19.10.2022	Page 65 of P57.
P57(r)	Dated Nil	Page 66 of P57.
P57(s)	Dated Nil	Page 67 of P57.
P57(t)	Dated Nil	Page 68 of P57.
P57(u)	18.10.2022 to 19.10.2022	Page 69 of P57.
P57(v)	19.10.2022	Page 70 of P57.
P57(w)	Dated Nil	Page 71 of P57.
P57(x)	23.10.2022	Page 10 of P57.
P57(y)	Dated Nil	Page 93 of P57.
P58	12.11.2022	Inventory Mahazar.
P59	Dated Nil	Lab reports.
P59(a)	17.10.2022	Page 1 of P59.
P59(b)	18.10.2022	Page 7 of P59.
P59(c)	19.10.2022	Page 22 of P59.
P59(d)	20.10.2022	Page 31 of P59.
P59(e)	21.10.2022	Page 33 of P59.
P59(f)	22.10.2022	Page 46 of P59.
P59(g)	22.10.2022	Page 50 of P59.
P59(h)	24.10.2022	Page 60 of P59.
P59(i)	25.10.2022	Page 64 of P59.
P59(j)	23.10.2022	Page 26 of P59.
P59(k)	20.10.2022	Page 36 of P59.
P59(l)	Dated Nil	Page 19 of P59.
P60	23.10.2022	EKG reports.
P60 (a)	23.10.2022	EKG reports.
P60 (b)	23.10.2022	EKG reports.
P61	09.11.2022	Certificate having details of Sharon (CSI Hospital, Neyyoor).

P62	19.12.2022	Course Certificate of Greeshma.
P62 (a)	19.12.2022	Course Certificate of Greeshma with details.
P63	03.11.2022	Mahazar.
P64	Dated Nil	Receipt given by Alin (PW34).
P65	13.06.2022	True copy of Guest Register (Golden Castle Inn) (2 numbers)
P65 (a)	13.06.2022	True copy of Guest Register (Resort) (2 numbers)
P66	18.07.2022	Copy of Guest Register (True copy).
P66(a)	18.07.2022	Copy of Guest Register (True copy).
P67	16.10.2022	Evening duty report (Fort Taluk Hospital, Thiruvananthapuram.),
P68	16.10.2022	OPD Register certified by Medical Superintendent, Fort Taluk Hospital, Thiruvananthapuram.
P69	11.01.2023	Community Certificate of Greeshma.
P70	Dated Nil	Location sketch of Sreenilayam.
P71	16.01.2023	Possession Certificate of Sreenilayam.
P72	Dated Nil	Location sketch of pond in Ramavarmanchira.
P73	14.10.2022	Blood test result of Sharon. (2 Sheets).
P73(a)	14.10.2022	Blood test result of Sharon. (2 Sheets).
P74	14.10.2022	ECG report of Sharon.
P75	21.12.2022	Ownership Certificate of Sreenilayam.
P76	03.11.2022	Mahazar
P77	03.11.2021	Mahazar.
P78	04.11.2022	Mahazar.
P79	09.11.2022	Genetal Examination of Greeshma (Medico legal Examination Report.)
P80	07.01.2023	Chemical Examination Report for MO6.
P81	16.11.2022	Certificate of Chemical analysis Department (Items 1 and 2).
P82	16.11.2022	Certificate of Chemical Analysis (viscera

		samples.)
P83	Dated Nil	Scene plan. (House of Sharon.)
P84	03.11.2022	Community Certificate of Sharon.
P85	27.12.2022	Ownership Certificate of Pulser bike (KL01 CC 3383)
P86	10.01.2023	Fitness Certificate of Activa scooter.
P87	10.01.2023	Fitness Certificate of Bajaj Pulser Bike.
P88	28.10.2024	65B Certificate (Akhil Petroleum)
P89	27.12.2022	Mahazar prepared by seeing Wikipedia search list of Paraquat.
P90	27.12.2022	Mahazar.
P91	27.12.2022	Mahazar.
P92	27.12.2022	Mahazar.
P93	26.10.2022	Histopathology report of internal organs of Sharon.
P94	07.11.2024	Mahazar prepared in Veli Tourist Village.
P95	07.11.2024	Mahazar prepared in Vettucaud Church.
P96	20.01.2023	Mahazar prepared in Souparnika house.
P97	26.10.2022	Postmortem Certificate.
P98	22.11.2022	Final opinion of postmortem findings.
P99	08.11.2024	65B Certificate issued by Sujith.
P100	01.11.2022	Photographs printed in 13 sheets.
P100(a)	01.11.2022	Photographs of Ramavarmanchira pond (with A3)
P100(b)	01.11.2022	Photographs of Sreenilayam Veedu and Rubber plantation (with A3).
P100(c)	01.11.2022	Photograph of sealed doors of Sreenilayam and pesticide shop at Kozhivila (presence of A3.)
P100(d)	01.11.2022	Photographs of Gayathri Hospital's prescriptions and packet of 'kashayappodi' (presence of A2).
P100(e)	06.11.2022	Photographs of Sreenilayam in presence of A1, Thali chain etc.

P100(f)	06.11.2022	Photographs in Sreenilayam containing Thalimala (length) statue of Krishna and vessel etc.
P100(g)	06.11.2022	Photographs of steel vessel (length), glass (length), plastic bottle with 'kashayappodi' etc.
P100(h)	06.11.2022	Photographs of Sreenilayam containing Kontha Kurissu, Medical bottle etc.
P100(i)	07.11.2022	Photographs of Veli Tourist Village (with A1)(Kadaloram Hotel.).
P100(j)	07.11.2022	Veli and Vettucaud Photographs along with (A1).
P100(k)	09.11.2022	Photographs of Neyyoor CIS Christian College, Khasali Store etc.
P100(l)	09.11.2022	Photographs of Kuzhithurai old bridge.
P100(m)	09.11.2022	Photographs of Golden Castle Inn at Thripparappu, Register of hotel.
P101	Dated Nil	Pendrive sandisk.
P102	16.01.2023	65B Certificate for Pendrive.
P103	Dated Nil	CD with labelled HP.
P103(a)	22.10.2022	Call recording saved as Greeshma chechi Voice clip – 1.
P103(b)	22.10.2022	Call recording saved as Greeshma chechi voice clip- 2.
P104	04.11.2022	65B Certificate of phone (No:9074171590)
P105	20.10.2022	Dying declaration of Sharonraj.
P105(a)	20.10.2022	Report of dying declaration.
P106	26.10.2022	FIR
P107	10.11.2022	Inventing Mahazar (All India Radio).
P108	Dated Nil	65B Certificate (All India Radio)
P108(a)	Dated Nil	65B Certificate (All India Radio)
P108 (b)	Dated Nil	65B Certificate (All India Radio)
P109	30.12.2022	Mahazar prepared by seeing photos of FSL Examination.
P110	Dated Nil	Photo

P110 (a)	Dated Nil	Photo
P110 (b)	Dated Nil	Photo
P110 (c)	Dated Nil	Photo
P110 (d)	Dated Nil	Photo
P111	01.11.2022	Mahazar prepared by seizing mobile phone of A2.
P112	01.11.2022	Mahazar prepared by seizing mobile phone of A3.
P113	Dated Nil	65B Certificate (Akhil Petroleum).
P114	03.11.2022	Hashvalue Report (Akhil Petroleum)
P115	Dated Nil	65B Certificate (Furniture shop)
P116	03.11.2022	Hashvalue Certificate (Furniture Shop)
P117	20.02.2020	Form 24 (Motor Vehicle Register).
P118	31.10.2022	Statement of Greeshma recorded by Aneesh. A(JFMC-II), Thiruvananthapuram.
P118(a)	31.10.2022	Signature of Dr. Ananthavishnu in the statement given by Greeshma.
P119	12.06.2023	FSL Report.
P120	12.01.2023	65B Certificate for recording voice sample of Greeshma at FSL.
P121	12.03.2021	Specimen seal impression (Item No.14 in Ext.119).
P122	12.01.2023	Mahazar (sealed packet and sample seal impression present in FSL)
P123	Dated Nil	Envelope of Ext.P121.
P124	18.01.2023	Mahazar prepared on CD containing voice clip.
P124(a)	18.01.2023	Report submitting MO45 series through P124.
P125	09.11.2022	Mhazar prepared in CSI Medical Mission, Kanyakumari.
P126	09.11.2022	Inventory Mahazar.
P127	31.10.2022	Mobile phone recovery Mahazar of A1.
P128	01.12.2022	Inventory Mahazar prepared by seeing the FIR in Nedumangadu Police Station and

		Dying declaration of A1.
P129	31.10.2022	Certified copy of FIR in Cr.1863/22 of Nedumangadu Police Station.
P130	Dated Nil	Pendrive (Sandisk 8 GB)(Blue star furniture)
P131	Dated Nil	Pendrive (Sandisk 8 GB)(Akhil petroleum)
P132	17.11.2022	Call detail record and Certificate of customer application form.
P133	04.08.2017	Certified copy of Customer application form of Sreekumaran Nair (Ph:No: 9487115044)
P134	04.08.2017	Certified copy of Customer application form of Sreekumaran Nair (Phone No. 9487323044)
P135	16.11.2022	65 B Certificate of mobiel nos. of Sreekumaran Nair.
P136	Dated Nil	CD bearing call details of Sreekumarn Nair.
P136(a)	Dated Nil	CDR of 9487115084 mobile number of Sreekumaran Nair in Ext.P136.
P136(b)	Dated Nil	CDR of 9487323044 mobile number of Sreekumaran Nair in Ext.P136.
P137	25.11.2022	Mahazar.
P138	07.01.2023	Mahazar.
P139	16.01.2023	Inventory Mahazar.
P140	10.01.2023	Expert opinion letter.
P141	19.01.2023	Inventory Mahazar.
P141(a)	19.01.2023	Report of custody of Ext.P100 series, P101, P102 etc. through Ext.P141.
P142	02.12.2022	Mahazar (by accused).
P143	Dated Nil	Invoice book (by accused.)
P144	02.12.2022	Mahazar (by accused.)
P145	28.07.2022	Invoice No:123 (Agro Trading Corporation) (by accused).
P146	27.01.2023	Report of examination of handwriting of Greeshma.

P47 & P147(a to n)	08.11.2022	Specimen handwriting of Greeshma (S1 to S15)
P148	18.01.2023	65B Certificate (Voice sample of Shimon Raj).
P149	14.02.2020	Customer application form of Nirmala kumaran Nair, Mobile No.9150943821.
P149(a)	Dated Nil	Copy of Aadhar (1st page) Nirmala Kumaran Nair.
P149(b)	Dated Nil	Aadhar copy (2 nd page).
P150	14.10.2019	Customer application form (Mohanakumaran Krishnapillai) 8925888533.
P150(a)	Dated Nil	Copy of Aadhar (1st page)
P150(b)	Dated Nil	2 nd page of Aadhar card of Mohanakumaran Krishnapillai.
P151	21.11.2018	Customer application form of Pradeep. P.S.
P151(a)	Dated Nil	Copy of Aadhar (1st page).
P151(b)	Dated Nil	2 nd page of Aadhar.
P152	14.06.2021	Customer application form of Mohanakumaran Krishnapillai (9443606249)
P152(a)	Dated Nil	Copy of Aadhar 1st page.
P152(b)	Dated Nil	2 nd page of copy of Aadhar.
P153	06.04.2019	Customer application form of Rejin. R.S.
P153(a)	Dated Nil	1st page of copy of Aadhar.
P153(b)	Dated Nil	2 nd page of copy of Aadhar.
P154	21.01.2023	65B Certificate (including P149 to P153 series)
P155	21.01.2023	Covering letter to District Police Chief, Thiruvananthapuram.
P156	Dated Nil	CD containing call date record.
P156(a)	Dated Nil	CDR of 8925888533
P156(b)	Dated Nil	CDR of 9567170224(PW2 - Rejin)
P157	27.10.2022	Inventory Mahazar.

P158	29.10.2022	Property list (T.No.447/22).
P159	28.10.2022	Seizure Mahazar.
P160	Dated Nil	Report addressed to Sub Divisional Magistrate by Sub Inspector of Police, Parassala.
P161	Dated Nil	OP card.
P162	12.11.2022	Inventory Mahazar.
P163	22.12.2022	Certificate of investigation (Proceeding of District Police Chief).
P164	22.12.2022	Enquiry Report.
P165	26.12.2022	Report regarding Ext.P12.
P166	26.12.2022	Report of submitting Ext.P13.
P167	26.12.2022	Report of P14.
P168	26.12.2022	Report regarding Ext.P15.
P169	26.12.2022	Report regarding Ext.P16
P170	26.12.2022	Report regarding Ext.P17
P171	26.12.2022	Report regarding Ext.P18
P172	26.12.2022	Report regarding Ext.P5
P173	26.12.2022	Report on production of Mahazar on receiving CCTV footages from FSL , of Akhil Petroleum, Moovotukonam.
P174	26.12.2022	Report on production of Mahazar on receiving CCTV footages from FSL , of Blue Star Furniture Enterprises and Hyderabad Furniture, Chekumoodu.
P175	27.12.2022	Report regarding Ext.P89
P176	27.12.2022	Report regarding Ext.P90
P177	27.12.2022	Report regarding Ext.P91
P178	27.12.2022	Report regarding Ext.P92
P179	28.12.2022	Report regarding MO28 diary and MO4 Record Book.
P180	28.12.2022	Form 15 of MO4 and MO28.
P181	28.12.2022	Report of Standard Requisition Form of handwriting of A1.

P182	30.12.2022	Report regarding Ext.P109.
P183	30.12.2022	Standard requisition form for forwarding digital evidence to forensic science laboratory.
P184	30.12.2022	Report of Ext.P183.
P185	30.12.2022	Forwarding note of samples given to FSL (Vaginal examination of A1.)
P186	30.12.2022	Report of Ext.P185.
P187	08.12.2017	Customer application form of Phone : 6395034022 (Satheeshkumar Palani).
P188	08.12.2017	e KYC consent of Ph:6395034022
P189	02.11.2017	Customer application form of Mobile No. 9074171590 (Sharon Raj. J.P).
P190	02.11.2017	e KYC consent of Ph: 9074171590 (Sharon Raj.)
P191	Dated Nil	CD containing Cell ID details and tower location details.
P191(a)	Dated Nil	Cell ID folder in Ext.P191 (whole cell ID details in Kerala Reliance (Jio).
P192	30.12.2022	Covering letter (Mobile Nos of Shimon Raj and Sasikumar.).
P193	30.12.2022	65B Certificate of Shimon's mobile and Sasikumar's mobile phone.
P194	17.08.2022	Customer application form of Shimon Raj.
P195	Dated Nil	Aadhar card of Shimon Raj (first page).
P195(a)	Dated Nil	Aadhar card of Shimon Raj (Second page).
P196	14.03.2019	Customer application form of Sasikumar.
P197	Dated Nil	Aadhar card of Sasikumar (first page).
197(a)	Dated Nil	Aadhar card of Sasikumar (Second page).
P198	Dated Nil	CD bearing CDR particulars of mobile numbers of Shimon Raj and Sasikumar.
P199	04.01.2023	Certified copy of order by Silpa Dyavaiah IPS.
P200	05.01.2023	Report submitted by Rasith. V.T, Deputy Superintendent of Police..

P201	04.01.2023	Form 15 of Ext.P85.
P202	04.01.2023	Form 15 of Ext.P117.
P203	05.01.2023	Report submitted by PW93 (date and time of crime).
P204	07.01.2023	Property list (T.No.13/2023)
P205	07.01.2023	Forwarding note for examining Ext.P103 CD in FSL.
P206	07.01.2023	Form 15 for examining Ext.P103 CD in FSL.
P207	10.01.2023	Form 15 for Ext.P87 submitted by PW55 (Pulsar bike).
P208	10.01.2023	Form 15 of Ext.P86 (Activa Scooter.).
P209	17.01.2023	Forwarding note regarding Ext.P120.
P210	12.01.2023	Form 15 of Ext.P120, 121 and Mo46.
P211	13.01.2023	Report adding IPC section 364.
P212	16.01.2023	Form 15 of Ext.P140.
P213	17.01.2023	Forwarding note for submitting MO1, 2, 3, 17,18 for FSL examination.
P214	18.01.2023	Form 15 for submitting MO45 series for FSL Examination.
P215	19.01.2023	Forwarding note for submitting MO45 series, MO46, Ext.103, MO41 series for FSL Examination.
P216	19.01.2023	Form 15 of Ext.P141.
P217	20.01.2023	Form 15 of Ext.P57 series.
P218	20.01.2023	Report adding IPC Sec.203.
P219	23.01.2023	Form 15 of Ext.P135, 132, 133,149series, 150series, 151series, 152 series, 153 series, 154, 187, 188, 189, 190, 192, 193, 194, 195 series, 196 and 197 series (2 numbers of Form 15.)
P219(a)	23.01.2023	Form 15 of Ext.P135, 132, 133,149series, 150series, 151series, 152 series, 153 series, 154, 187, 188, 189, 190, 192, 193, 194, 195 series, 196 and 197 series (2 numbers of Form 15.)

P220	Dated Nil	Form 15 of P83.
P221	11.01.2023	Form 15 to prove religion and caste of A1 submitted by P69.
P222	24.01.2023	Form 15 of Ext.P81.
P223	24.01.2023	Report prepared by Ext.P96.
P224	18.01.2023	Form 15 of Ext.P148.
P225	15.12.2022	Cyber Forensic Anaysis Report (No:DD-837/22/B2-12897/FSL/22.
P226	02.05.2023	Cyber Forensic Analyis Report (No:DD-24/23/B2-419/FSL/23.
P227	Dated Nil	CD bearing No:DD24/23/B2-419/FSL/23 (Annexure- 2)
P228	15.05.2023	Cyber Forensic Analysis Report No:DD-10/23/B2-193/FSL/23.
P229	Dated Nil	Annexure 1 CD No.DD10/23/B2-193/FSL/23.
P229(a)	Dated Nil	Folder web history of paraquit from Q1 in Annexure I CD Ext. P229.
P229(b)	Dated Nil	The page by name extraction report – cellebrite reports in Ext.P229.
P229(c)	Dated Nil	The page wikipedia.org/wiki/paraquat (wikipedia page in Ext.P229)
P229(d)	Dated Nil	CDC facts about paraquat dated 14.10.2022. 1:54:39 UTC+0 (web search in Ext.P229).
P229(e)	Dated Nil	The page by name cdc.gov/chemical fact – sheets/ paraquat.html in Ext.P229.
P229(f)	Dated Nil	Folder named 'web history of paracetamol' from Q1 in Ext.P229.
P229(g)	Dated Nil	PDF – Extraction report- cellebrite – web history page.
P229(h)	Dated Nil	Folder named searched item from Q1.
P229(i)	Dated Nil	Extraction report – Cellebrite report from folder searched item from Q1 in Ext.P229 regarding google map searches of golden castle inn.

P229(j)	Dated Nil	Folder named 'Screen shot of searched items from Q1 in Ext.P229.
P229(k)	Dated Nil	Screen shot of page no.9913 of the pdf report in the folder cloud data from Q1 in Annexure 5 hard disk (Ext.P4).
P229(l)	Dated Nil	Folder named 'image from Q4' in (Ext.P4).
P229(m)	Dated Nil	Extract report in folder named image from Q4 in Ext.P229.
P229(n)	Dated Nil	Folder named 'Video from Q4' in Ext.P229.
P229(o)	Dated Nil	Extraction report in folder named video from Q4 in Ext.P229.
P229(p)	Dated Nil	Folder named 'Video-I from Q4' in Ext.P229.
P229(q)	Dated Nil	Folder named 'Image-I from Q4' in Ext.P229.
P229(r)	Dated Nil	Folder named 'Image video from Q4' in Ext.P229.
P229(s)	Dated Nil	Folder named 'Image -2 from Q4' in Ext.P229.
P229(t)	Dated Nil	Folder named 'Image – 3 from Q4' in Ext.P229.
P229(u)	Dated Nil	Folder named 'Image video from Q4' in Ext.P229.
P229(v)	Dated Nil	Folder named 'whatsapp, chat on 22.08.2022 from Q4' in Ext.P2.
P229(w)	Dated Nil	Whats app chat extaction report between 9707417159 and 8925888533 on 22.08.2022.
P229(x)	Dated Nil	Folder named 'Data from Q7' in Ext.P229.
P229(y)	Dated Nil	Folder named 'whatsapp chat from 14.10.2022 to 18.10.2022 from Q4' in Ext.P229.
P229(z)	Dated Nil	Folder named 'whatsapp chat from 14.10.2022 to 18.10.2022 from Q4' in Ext. P229.
P229(a1)	14.10.2022 to 18.10.2022	Whats app extraction report between 9707417159 Sharon Raj and 8925888533

(18 pages).

P229(a2)	14.10.2022	Page 2 of Ext.P229(a) whatsapp message at 02:13:52.
P229(a3)	14.10.2022	Page 4 of Ext.P229(a1) (whatsapp chat) at 02:14:46
P229(a 4)	14.10.2022	Whats app chat at 03:59:23 in page 18 of Ext.P229(a1).
P229(a5)	14.10.2022	Whats app chat at 03:59:30 in page 18 of Ext.P.229(a1).
P229(a6)	14.10.2022	Whats app chat at 04:37:37 in page 20 of Ext.P229(a1).
P229(a7)	14.10.2022	Whatsapp chat 04:37:39 in page 20 of P.229(a1).
P229(a8)	14.10.2022	Incoming call from accused 1 04:38:14 in page 20 of P229(a1) (Whatsapp incoming call).
P229(a9)	14.10.2022	Page 24 of P229(a1) 04:50:31 whatsapp chat.
P229(a10)	14.10.2022	Page 25 of P229(a1) 04:50:35 tagged whatsapp message.
P229(a11)	14.10.2022	Page 25 of P229(a1) 04:50:36 whatsapp message.
P229(a12)	14.10.2022	Page 26 of P229 (a1) 04:51:10 whatsapp message.
P229(a13)	14.10.2022	Page 26 of P229(a1) 04:51:19 whatsapp message.
P229(a14)	14.10.2022	Page 26 of P229(a1) 04:51:37 whatsapp message.
P229(a15)	14.10.2022	Page 27 of P229(a1) 04:52:12 whatsapp message.
P229(a16)	14.10.2022	Page 30 of P229(a1) 04:53:52 whatsapp message.
P229(a17)	14.10.2022	Page 30 of P229(a1) 04:53:55 whatsapp message.
P229(a18)	14.10.2022	Page 33 of P229(a1) 04:55:36 whatsapp message.
P229(a19)	14.10.2022	Page 33 of P229(a1) 04:55:50 whatsapp

		message (tagged message).
P229(a20)	14.10.2022	Page 35 of P229(a1) 04:57:21 whatsapp message.
P229(a21)	14.10.2022	Page 36 of P229(a1) 04:58:58 whatsapp message.
P229(a22)	14.10.2022	Page 36 of P229(a1) 04:59:11 whatsapp message.
P229(a23)	14.10.2022	Page 37 of P229(a1) 06:07:47 whatsapp message.
P229(a24)	14.10.2022	Page 37 of P229(a1) 06:08:26 whatsapp message.
P229(a25)	14.10.2022	Page 37 of P229(a1) 06:08:34 whatsapp message.
P229(a26)	14.10.2022	Page 38 of P229(a1) 06:08:50 whatsapp message.
P229(a27)	14.10.2022	Page 38 of P229(a1) 06:08:... whatsapp message.
P229(a28)	14.10.2022	Page 38 of P229(a1) 06:10:36 whatsapp message.
P229(a29)	14.10.2022	Page 40 of P229(a1) 06:35:29 whatsapp message.
P229(a30)	14.10.2022	Page 42 of P229(a1) 06:36:15 whatsapp message.
P229(a31)	14.10.2022	Page 43 of P229(a1) 06:36:23 whatsapp message.
P229(a32)	14.10.2022	Page 43 of P229(a1) 06:36:35 whatsapp message (tagged).
P229(a33)	14.10.2022	Page 43 of P229(a1) 06:36:46 whatsapp message (tagged).
P229(a34)	14.10.2022	Page 44 of P229(a1) 06:36:51 whatsapp message.
P229(a35)	14.10.2022	Page 44 of P229(a1) 06:36:57 whatsapp message.
P229(a36)	14.10.2022	Page 45 of P229(a1) 06:37:24 whatsapp message.
P229(a37)	14.10.2022	Page 48 of P229(a1) 06:46:42 whatsapp message.

P229(a38)	14.10.2022	Page 48 of P229(a1) 06:46:52 whatsapp message (tagged).
P229(a39)	14.10.2022	Page 49 of P229(a1) 06:47:15 whatsapp message.
P229(a40)	14.10.2022	Page 54 of P229(a1) 06:51:19 whatsapp voice message (tagged voice note).
P229(a41)	14.10.2022	Page 54 of P229(a1) 06:52:30 whatsapp voice chat.
P229(a42)	14.10.2022	Page 63 of P229(a1) 10:29:10 whatsapp message.
P229(a43)	14.10.2022	Page 63 of P229(a1) 10:29:17 whatsapp message.
P229(a44)	14.10.2022	Page 71 of P229(a1) 12:01:22 whatsapp message.
P229(a45)	14.10.2022	Page 76 of P229(a1) 12:03:08 whatsapp message.
P229(a46)	14.10.2022	Page 76 of P229(a1) 12:03:11 whatsapp message.
P229(a47)	14.10.2022	Page 76 of P229(a1) 12:03:19 whatsapp tagged message.
P229(a48)	14.10.2022	Page 78 of P229(a1) 12:03:57 whatsapp message from Sharon.
P229(a49)	14.10.2022	Page 79 of P229(a1) 12:04:25 whatsapp message.
P229(a50)	14.10.2022	Page 85 of P229(a1) 17:26:48 whatsapp message.
P229(a51)	14.10.2022	Page 88 of P229(a1) 03:33:19 whatsapp message.
P229(a52)	14.10.2022	Page 90 of P229(a1) Tagged Whatsapp chat from Sharon Raj to Greeshma at 03:52:53 'Ichaya sorryyy'.
P229(a53)	14.10.2022	Page 101 of P229(a1) Tagged Whatsapp chat from Sharon Raj to Greeshma at 03:52:53 'Ichaya sorryyy'.
P229(a54)	16.10.2022	Whatsapp chat from Sharon Raj to Greeshma at 09:54:22 'Enikk vayya'.
P229(a55)	16.10.2022	Whatsapp chat from Sharon Raj to

		Greeshma
P229(a56)	16.10.2022	Whatsapp chat from Sharon Raj to Greeshma at 10:40:24 'Ottum vayya'.
P229(a57)	18.10.2022	Whatsapp message from Greeshma to Sharonraj at 02:13:46 'Gd mornng ichaya'.
P230	Dated Nil	Certified hard copy of Whatsapp chat Ext.P229(a1).
P230(a)	12.12.2024	65 B certificate of Ext.P230.
P231	29.10.2022	Order of Special Investigation Team took charge of investigation.
P232	30.10.2022	Report for P231.
P233	30.10.2022	Report of Adding Sec.302.
P234	30.10.2022	Application for forwarding reports of SDM to JFMC, Neyyattinkara.
P235 & P235(a), (b), (c)	31.10.2022	Arrest Memo, Custody Memo, Inspection Memo and Arrest Intimation of Ist Accused (4 Nos.)
P236	31.10.2022	Report of P127 Mahazar.
P237	31.10.2022	Property list (T.No.454/2022).
P238	31.10.2022	Remand application for A1.
P238(a)	31.10.2022	Statement written by Magistrate in P238.
P239	01.11.2022	Report of Adding IPC 201.
P240	01.11.2022	Report of adding accused A2 and A3.
P241 & 241(a), (b), (c)	01.11.2022	Arrest Memo, Inspection Memo, Custody Memo and Arrest Intimation of A2(4 Nos.)
P242 & 242(a), (b), (c)	01.11.2022	Arrest Memo, Inspection Memo, Custody Memo and Arrest Intimation of A3(4 Nos.)
P243	01.11.2022	Remand application of A2 and A3.
P244	01.11.2022	Report of Ext.P111 by seeing MO43.
P245	01.11.2022	Property list (T.No.455/22)
P246	01.11.2022	Report of Ext. P112 by seeing MO44 mobile phone of A3.
P247	01.11.2022	Property list (T.No.452/22)

P248	01.11.2022	Report of Ext.P36.
P249	01.11.2022	Property list (T.No.426/22), MO6 bottle.
P250	01.11.2022	Report of Mahazar by seeing Ext.P38 (Rubber plantation).
P251	01.11.2022	Report of Ext.P41 by seeing MO29 Scooter.
P252		Property list (T.457/22). KPF 151 A form of MO29.
P253	01.11.2022	Report of Mahazar of Ext.P22 Pesticide shop.
P254	01.11.2022	Report of Mahazar by seeing Gayathri Hospital (Ext.P32).
P255	01.11.2022	T.No.446/2022 (KPF 151 A form of MO30 Kashayapodi.)
P256	01.11.2022	Form No.15 of Prescriptions Ext. P31.
P257	16.10.2022	Report of Ext.P67 & P68.
P258	02.11.2022	Report of adding Section 302, 201, 34 IPC.
P259	03.11.2022	Report of Ext.P76.
P260	03.11.2022	T.No.427/2022, Property list of MO1 to MO3, MO31 to 33 and MO39.
P261	03.11.2022	Report of MO4, Record Book.
P262	03.11.2022	Report of Ext.P77 submitted by MO34 to MO39
P263	03.11.2022	Property list (T.No.428/2022)
P264	03.11.2022	Report of Ext. P45 (Bluestar furniture).
P265	03.11.2022	Form 15 of P130, 115, 116.
P266	03.11.2022	Report of Ext.P63
P267	03.11.2022	Form 15 Pendrive CCTV sequence in Blue Star Enterprises Furniture shop.
P268	04.11.2022	Report of MO5 through P78 Mahazar.
P269	04.11.2022	Property list (T.No.433/2022).
P270	06.11.2022	Report of Ext.P37 mahazar.
P271	06.11.2022	Property list (T.429/22) .
P272	06.11.2022	Report of Ext.P48.

P273	06.11.2022	Property list (T.No.430/22)
P274	06.11.2022	Report on production of Mahazar of place where Sharon secondly vomited near Vilayanvilakam.
274(a)	06.11.2022	Report on production of Mahazar of place where Sharon thirdly vomited near Elanchira Junction.
P274(b)	06.11.2022	Report on production of Mahazar of place where Sharon vomited near the house Poompallikonam.
P275	06.11.2022	Report of adding Section 328.
P276	06.11.2022	Report for MO16 & MO28 (Safe custody)
P277	21.12.2022	Report of MO16.
P278	07.11.2022	Report of Ext.P94 and P95
P278(a)	07.11.2022	Report of Ext.P94 and P95
P279	01.11.2022	Report of Ext.P19.
P280	01.11.2022	Form 15 of Ext.P19.
P281	07.11.2022	Report of Ext.P11 Mahazar.
P282	07.11.2022	Form 15 of Ext.P10 series.
P283	09.11.2022	Form 15 of Ext.P61.
P284	09.11.2022	Report of Ext.P126.
P285	09.11.2022	Form 15 of Ext.P79.
P286	09.11.2022	Property list (T.No.8/2023)
P287	10.11.2022	Report of Ext.P107.
P288	10.11.2022	Form 15 of Ext.P108 (3 Nos.)
P288(a)	10.11.2022	Form 15 of Ext.P108
P288(b)	10.11.2022	Form 15 of Ext.P108
P289	12.11.2022	Report of Ext.P59 and Ext.60 series.
P290	20.01.2023	Form 15 of P59 and P60 series.
P291	15.11.2022	Report for Ext.P56.
P292	15.11.2022	Report of keeping case records in safe custody.
P293	12.11.2022	Report of keeping lab reports in safe custody.

P294	01.12.2022	Report of Ext.P128
P295	01.12.2022	Form 15 of Ext.P118 series and Ext.P129.
P296	11.11.2022	Report of Ext.P54.
P297	11.11.2022	Report of Ext.P55.
P298	11.11.2022	Form 15 of Ext.P53.
P299	11.11.2022	Form 15 of Ext.P162.
P300	12.11.2022	Report for Ext.P162.
P301	12.11.2022	Form 15 for P73 series and P74.
P302	13.12.2022	Report for Ext.P23.
P303	02.12.2022	Report of Kapiq Herbicide containing Paraquat content.
P304	13.12.2022	Report for Ext.P27
P305	02.12.2022	Report for Ext.P142
P306	02.12.2022	Report for Ext.P144
P307	02.12.2022	Form 15 of Ext.P143
P308	01.12.2022	Form 15 of Ext.P71.
P309	17.12.2022	Form 15 of Ext.P70.
P310	08.11.202	Report of Ext.P46.
P311	08.11.2022	Report of Ext.P47.
P312	02.12.2022	Form 15 of Ext.P145.
P313	09.11.2022	Report of Ext.P125
P314	09.11.2022	Report of Ext.P42
P315	09.11.2022	Property list (T.No.458/22).
P316	09.11.2022	Report of Ext.P43.
P317	09.11.2022	Report of Ext.P39
P318	10.11.2022	Form 15 of Ext.P84.
P319	30.11.2022	Forwarding note for FSL report.
P320	28.11.2022	Report for Ext.319.
P321	26.11.2022	Forwarding note to Chemical Examination laboratory.
P322	21.12.2022	Form 15 of P75
P323	19.12.2022	Form 15 of P62 series.

Exhibits for the Defence :

D1	05.11.2022	161 Statement of PW10 given to the police “അപ്പോൾ ഡോക്ടർ ഷാരോൺ രാജിന്റെ വിവരം അറിയിച്ചു.”
D2	13.10.2022	Whatsapp chat in Ext.P4 at 03:18:09
D3	13.10.2022	Whats app chat in Ext.P4 at 03:18:22
D4	13.10.2022	Whats app chat in Ext.P4 at 08:32:23.
D5	13.10.2022	Whats app chat in Ext.P4 at 08:35:39
D6	13.10.2022	Whats app chat in Ext.P4 at 08:35:53.
D7	13.10.2022	Whats app chat in Ext.P4 at 08:36:02.
D8	13.10.2022	Whats app chat Page 30166 in Ext.P4 at 08:38:44
D9	13.10.2022	Whats app chat of page 30167 in Ext.P4 at 08:47:56.
D10	13.10.2022	Whats app message in Ext.P4 at 08:48:01.
D11	13.10.2022	Whats app message in Ext.P4 at 08:48:21
D12	13.10.2022	Whats app message of page 30168 in Ext.P4 at 08:48:30
D13	13.10.2022	Whats app message in Ext.P4 at 08:48:38
D14	13.10.2022	Whats app message in Ext.P4 at 08:48:42.
D15	13.10.2022	Whats app message in Ext.P4 at 08:48:44.
D16	13.10.2022	Whats app message by Greeshma in Ext.P4 at 08:48:54.
D17	13.10.2022	Whatsapp message in Ext.P4 at 08:48:57.
D18	13.10.2022	Whats app message in Ext.P4 at 08:49:12.
D19	13.10.2022	Whats app message in Ext.P4 at 08:49:14.
D20	13.10.2022	Whats app message in Ext.P4 at 08:49:12.
D21	13.10.2022	Whats app message in Ext.P4 at 08:49:37.
D22	13.10.2022	Whats app message in Ext.P4 at 08:49:39.
D23	13.10.2022	Whats app message in Ext.P4 at 08:49:57.
D24	13.10.2022	Whats app message in Ext.P4 08:50:02
D25	13.10.2022	Whats app message in Ext.P4 at 08:50:04.

D26 13.10.2022 Reply for D25 Whats app message in
Ext.P4 at 08:50:09.

Witness for the prosecution:

PW1	15.10.2024	Shimon Raj.
PW2	15.10.2024	Rejin. R.S, Money Exchange Officer, Trivandrum Airport.
PW3	15.10.2024	Sajin. S.R.
PW4	16.10.2024	Mohanakumar. P.
PW5	16.10.2024	Alex. C.
PW6	16.10.2024	Maheshkumar. N.K.
PW7	16.10.2024	Ravisankar. K.
PW8	17.10.2024	Dr. Sajikumar. E.A, Physician, Gayathri Hospital, Poovar.
PW9	17.10.2024	Sivakumar.
PW10	17.10.2024	Priya. G.
PW11	17.10.2024	Jayasankar. S.R.
PW12	17.10.2024	Little kumar.
PW13	17.10.2024	Christalklin.
PW14	17.10.2024	Amanulla.
PW15	17.10.2024	Vinod.
PW16	17.10.2024	T. Gladis Prabhu.
PW17	18.10.2024	Edward. Y.
PW18	18.10.2024	Mani. T.
PW19	18.10.2024	Alexander. G.
PW20	18.10.2024	Sujith. R.
PW21	18.10.2024	Sunil. V.
PW22	18.10.2024	Sasikumar. T.
PW23	18.10.2024	Shaji. K.
PW24	18.10.2024	Sheejakumari. C.
PW25	23.10.2024	Sindhukumari. K, Attendant Grade-I, Taluk Hospital, Parassala.
PW26	23.10.2024	Bijitha. V.S, Nurse, Taluk Hospital,

		Parassala.
PW27	23.10.2024	Dr. Varun. R.V, Assistant Surgeon, Taluk Hospital, Parassala.
PW28	23.10.2024	Harikumar. K, Librarian, Medical College Hospital, Thiruvananthapuram.
PW29	23.10.2024	Arunkumar.
PW30	23.10.2024	T.S. Rajan Babu.
PW31	23.10.2024	Dr. M. Jagathish, Principal in charge, Muslim Arts College.
PW32	23.10.2024	Anoop Kumar. V.G.
PW33	23.10.2024	Ajith S Nair.
PW34	23.10.2024	Alin. S.V.
PW35	23.10.2024	Ajikumar. N.
PW36	24.10.2024	Dr. Amritha. S, Casuality Medical Officer, Fort Hospital, Thiruvananthapuram.
PW37	24.10.2024	Babu Ramesh.
PW38	24.10.2024	Navaneethkrishnan
PW39	24.10.2024	Salini. M.R, Village Officer, Edakode.
PW40	25.10.2024	Dr. Hemanth. R, Medical Officer, General Medicine, Medical Collage Hospital, Thiruvananthapuram.
PW41	25.10.2024	Dr. Salini. N.R, Assistant Professor, Govt. Medical College Hospital, Thiruvananthapuram.
PW42	25.10.2024	C. Selvan, Secretary, Devicode Panchayath.
PW43	26.10.2024	Dr. M. John, ENT Special Surgeon, Govt. Fort Hospital, Thiruvananthapuram.
PW44	26.10.2024	Dr. Reena Chandran, Associate Professor, Dermatology & Venerealogy, Medical College Hospital, Thiruvananthapuram.
PW45	26.10.2024	Dr. Sherinsha, Assistant Professor,

		ENT, Govt. Medical College Hospital, Thiruvananthapuram.
PW46	20.10.2024	Dr. Anil Sathyadas, Associate Professor, Govt. Medical College, Thiruvananthapuram.
PW47	26.10.2024	Dr. Anu Balakrishnan.
PW48	26.10.2024	Rathish Kumar. T.
PW49	30.10.2024	Dr. Aravind. V.N, Senior Resident, Nephrology, Medical College Hospital, Thiruvananthapuram.
PW50	30.10.2024	Dr. Krishnapriya Gynecologist, Women and Children Hospital, Thycaud.
PW51	30.10.2024	Haseena. S, Assistant Chemical Examiner, Chemical Examiner's lab, Thiruvananthapuram.
PW52	30.10.2024	Dr. Divya S Mohan, Senior Scientific Assistant, Medical College Hospital, Thiruvananthapuram.
PW53	30.10.2024	Christudas. S, Village Officer, Parassala.
PW54	30.10.2024	Sunil Kumar. J, Joint RTO, Parassala.
PW55	30.10.2024	Anish. D.C, AMVI, Sub Regional Transport Officer, Parassala.
PW56	01.11.2024	Dr. Aruna. R, Professor, Department of Medicine, Medical College Hospital, Thiruvananthapuram.
PW57	01.11.2024	Noushad. T, L.A Thahasildar and Executive Magistrate, KIFBI.
PW58	04.11.2024	Dr. Aravind. R, Head of Infection desease, Medical College Hospital, Thiruvananthapuram.
PW59	04.11.2024	Dr. Jasmine Anandan, Assistant Professor, Pathology, Govt. Medical College Hospital, Thirvananthapuram.
PW60	04.11.2024	Ayyappan. R.
PW61	04.11.2024	Aneesh. N.R

PW62	04.11.2024	Symon. T.
PW63	06.11.2024	Dr. Dhanya Raveendran, Assistant Police Surgeon, Department of Forensic Medicine, Govt. Medical College, Thiruvananthapuram.
PW64	06.11.2024	P. Anitha, SCPO, Thiruvananthapuram Rural Crime branch.
PW65	08.11.2024	Madhu. S, Thiruvananthapuram Rural.
PW66	11.11.2024	Dr. V.V.Pillai, Professor and Head of Forensic Medicine and Toxicology at Amritha Institute of Medical Science, Kochi.
PW67	11.11.2024	Anil Chikku. K.S, SCPO, Parassala Police Station.
PW68	15.11.2024	Liny Thomas Kurakar, Judicial First Class IX, Thiruvananthapuram.
PW69	15.11.2024	R. Velappan Nair, Grade S.I, Parassala Police Station.
PW70	15.11.2024	Balu. V.G, Sub Inspector of Police, Parassala.
PW71	15.11.2024	Grade CPO, Parassala Police Station.
PW72	15.11.2024	Binukumar. L, CPO, Parassala Police Station.
PW73	25.11.2024	Rajeev. A.R, CPO, Crime Branch, Thiruvananthapuram Rural SP Office.
PW74	25.11.2024	Shaji Das. C.S, Thiruvananthapuram Rural Cyber Cell.
PW75	25.11.2024	K.K. Suresh Kumar, PA to R.T.O, Marthandam.
PW76	25.11.2024	Aneesa. A, Judicial First Class Magistrate-II, Thiruvananthapuram.
PW77	26.11.2024	Vineeth. V, Scientific Officer, Physics at FSL, Thiruvananthapuram.
PW78	26.11.2024	Shamnad. S, Grade ASI, Thiruvananthapuram Rural Cbranch.
PW79	26.11.2024	Shinilal. S.S, Senior CPO, Parassala

		Police Station.
PW80	28.11.2024	SHO, Parassala Police Station.
PW81	28.11.2024	Sreebu. V.S, ASI, Rural Crime Branch, Thiruvananthapuram.
PW82	28.11.2024	Sathish Sekhar. S, Sub Inspector of Police, Thiruvananthapuram Rural Cyber Crime Police Station.
PW83	29.11.2024	Sajeev. P.K, Nodal Officer, BSNL, Kerala Circle.
PW84	29.11.2024	Satheesh. M.S, Naik, Indian Army, Jammu & Kashmir.
PW85	29.11.2024	Satheesh. M.S, Thiruvananthapuram Rural Crime Branch.
PW86	30.11.2024	Anaswara, Assistant Director, Document Division, State FSL, Thiruvananthapuram.
PW87	02.02.2024	Raju Varghese, Deputy Director General, AIR, Thiruvananthapuram.
PW88	02.02.2024	Nodel Officer, Bharatheeya Airtel Ltd, Kerala Circle.
PW89	02.02.2024	Sub Inspector of Police, Parassala.
PW90	03.12.2024	M.K. Zulfiqer, Additional Superintendent of Police, Thiruvananthapuram Rural.
PW91	03.12.2024	Aji Shankar, Kerala State Nodel Officer, Reliance Jio infocom Ltd.
PW92	06.12.2024	Jayaraj. T.
PW93	09.12.2024	Rasith. V.T, District Crime Branch Officer.
PW94	11.12.2024	Deepa. A.S, Assistant Director State FSL, Thiruvananthapuram.
PW95	16.12.2024	Johnson. K.J, DYSP, Thiruvananthapuram Rural Office.

Witness for defence: Nil

Court Exhibits : Nil

Material Objects

M.O.1	Red Shirt of Sharon.
M.O.2	Black pants of Sharon.
M.O.3	Blue underwear of Sharon.
M.O.4	Record Book of Sharon.
M.O.5	Mobile phone of Sharon.
M.O.5 (a)	Simcard (Jio) of Sharon.
M.O.6	Weedicide bottle (Pesticide)
M.O.7	Motor bike of Sharon.
M.O.8	Seal and cloth of sealed kitchen door.
M.O.8(a)	Seal and cloth of sealed south door.
M.O.8(b)	Seal and cloth of sealed back side gate.
M.O.9	Thali and string.
M.O.10	Steel bangle.
M.O.11	Statue of Krishna.
M.O.12	Steel vessal.
M.O.13	Steel glass.
M.O.14	Plastic bottle containing Kashayapodi.
M.O.15	Slice bottle (Juice bottle sample bottle).
M.O.16	Album of Greeshma's Engagement.
M.O.17	Black pant of Greeshma.
M.O.18	Red churidar top.
M.O.19	Red capped bottle (Medical bottle).
M.O.20	Holy Cross and Konthamala.
M.O.21 & MO21(a), (b)	Paracetamol tablets (3 strips).
M.O.22	Dolo 650 strip of tablets.
M.O.23	Lenovo laptop.
M.O.24	Charger of Lenovo Laptop.

M.O.25	Bag of Lenovo Laptop
M.O.26	Label of Kapiq bottle.
M.O.27& MO27(a)	Glass pieces (Tinted) 2 pieces.
M.O.28 MO28(a1 to a5)	Brown coloured diary of Greeshma. Writings in MO28 diary.
M.O.29	TN 75 H 4115 Activa Scooter.
M.O.30	Kashayapodi Polythene cover (one packet).
M.O.31	Mask.
M.O.32	Brown Hand kerchief.
M.O.33	Bag.
M.O.34	Check Shirt of Sharon.
M.O.35	കോറ മുണ്ട് .
M.O.36 & MO36(a), (b)	Bed sheet (3 Nos).
M.O.37	Pillow cover.
M.O.38	Cover used to spit.
M.O.39	White kerchief.
M.O.40	Redmi Mobile phone of Greeshma.
MO40(a)	Airtel Simcard of Greeshma.
MO40(b)	Memory card of Greeshma.
M.O.41	Mobile phone of Shimon raj.
MO41(a)	Memory card.
M.O.42	CDs (3 Nos).
M.O.42a1	CD written as Greeshma 1
MO42a2	CD named as Greeshma 2
MO42a3	CD named as Greeshma 3
M.O.43	Samsung mobile of A2.
M.O.43(a)	Simcard of A2.
M.O.44	Realme (15 mobile of A3.)

M.O.44(a)	Simcard of A3 (Airtel).
M.O.45	Packets (3 Nos.) containing CDs of voice clip of Shimon Raj.
MO45(a1)	CD numbered as Shimon Raj CD-1.
MO45(a2)	CD numbered as Shimon Raj CD-2.
MO45(a3)	CD numbered as Shimon Raj CD-3.
M.O.46	Packet containing CD bearing sample voice clip of Greeshma.
MO46(a)	Sealed brown paper bearing sealed impression of FSL (Label cover from FSL)
MO46(b)	CD having voice clip of Greeshma recorded at FSL.
M.O.47	Kingston 32GB pendrive (black colour).
M.O.48	Sealed packet.
M.O.49	Sealed cover.
M.O.50	Plastic bottle with green cap.
M.O.51	Bottle of Maaza.

ADDITIONAL SESSIONS JUDGE.

**CALENDAR STATEMENT IN SESSIONS CASE No.764/2023 OF THE
ADDITIONAL SESSIONS COURT, NEYYATTINKARA**

Serial Number : Sessions Case No. 764/2023
C.P.No. 06/2023 of the Judicial I Class
Magistrate Court-II, Neyyattinkara.

Name & Crime No. of : Crime No.1311/2022 of Parassala
the Police Station Police Station.

Description of the Accused:

Name : A1-Greeshma @ Sreekkutty, A2-Sindhu.
A3-Nirmala Kumaran Nair.

Father's Name : A1- Sindhu, A2-Savithri,
A3-Krishnapillai.

Residence A1 : Sreenilayam, Poombalikkonam,
Melppaladesom, Deviyodu Village,
Kanyakumari District.

A2 Sreenilayam Veedu, Poombalikonam,
Melppala desom, Deviyode Village,
Kanyakumari District.

A3 Sreenilayam Veedu, Poombalikonam,
Melppala desom, Deviyode Village,
Kanyakumari District, From Souparnika
Veedu, Mekkode desom, Vanniyoor
Village, Vilavankode Taluk.

Occupation :

Caste or Religion : ---

Age : A1-22/2022, A2-52/2022, A3-62/2022

Date of :

Occurrence : 14.10.2022

Complaint : 26.10.2022

Apprehension : A1- 31.10.2022, A2- 01.11.2022 ,
A3- 01.11.2022.

Release on Bail : A1- 26.09.2023, A2- 16.01.2023,
A3-02.02.2023

Commitment : 01.04.2023

Commencement of trial : 18.03.2024
Date on which trial closed : 03.01.2025
Sentence or Order : 20.01.2025
Name & Designation of the committing Magistrate : Sri. Vinod Babu. M.U, Judicial I Class Magistrate-II, Neyyattinkara.
Explanation for delay : No delay

**A.M. BASHEER,
ADDITIONAL SESSIONS JUDGE.**

Fair/ Copy JUDGMENT IN
Sessions Case 764/2023
Dated: 20/01/2025.