

**IN THE COURT OF THE ADDL. DIST. & SESSIONS JUDGE-I,
KOLLAM**

**Present: Sri. P.N. Vinod, Addl. Sessions Judge-I, Kollam
Saturday, the 21st day of March, 2026/ 30th day of Phalguna, 1947**

Sessions Case No. 1275/2023

- C.P. No.** : 53/2023 of Judicial First Class Magistrate Court-I, Kottarakkara
- Crime No.** : 1202/2023 of Kottarakkara Police Station
- Complainant** : State of Kerala represented by the Deputy Superintendent of Police, Crime Branch, Kollam Rural
- By Adv: **Sri. Prathap. G. Padikkal**
Special Public Prosecutor
- Accused** : Sandeep.G, aged 43/2023 years, S/o. Gopinathan Pillai, Sreenilayam, Near Cherukarakkonam Parabrahma Temple, Cherukarakkonam, Kudavattoor Muri, Odanavattom Village.
- By Adv.Prathapachandran Pillai
- Charge** : u/s. 302, 307, 326, 323, 324, 506(ii), 332, 333, 341, 353 and 201 of IPC and Sec. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012.
- Plea of the accused** : Not guilty
- Finding of the Judge** : Guilty u/s. 302, 307, 326, 324, 323, 201, 341, 332 and 333 of IPC and Sec. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of

Violence and Damage to Property) Act, 2012.

Not guilty u/s. 506(ii) and 353 of IPC and is acquitted of the said offences.

Sentence or Order

- : (a) The accused is sentenced to undergo imprisonment for life and to pay fine of ₹1,00,000/- (Rupees One lakh only) u/s. 302 of IPC for having committed murder of Dr. Vandana Das, in default of payment of fine to undergo a further period of rigorous imprisonment for six months
- (b) The accused is sentenced to undergo rigorous imprisonment for ten years and to pay fine of ₹50,000/- (Rupees Fifty thousand only) u/s. 307 of IPC for having attempted to commit murder of PW3, in default of payment of fine to undergo a further period of rigorous imprisonment for three months.
- (c) The accused is sentenced to undergo rigorous imprisonment for ten years and to pay fine of ₹25,000/- (Rupees Twenty five thousand only) u/s. 326 of IPC for having voluntarily caused grievous hurt to PW3 by means of dangerous weapon of offence, in default of payment of fine to undergo a further period of rigorous imprisonment for three months.

- (d) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW3 by means of dangerous weapon of offence.
- (e) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW2 by means of dangerous weapon of offence.
- (f) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW4 by means of dangerous weapon of offence.
- (g) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW5 by means of dangerous weapon of offence.
- (h) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 323 of IPC for having voluntarily caused hurt to PW11.
- (i) The accused is sentenced to undergo rigorous imprisonment for two years u/s.

333 of IPC for having committed the said offence against PW3.

- (j) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 332 of IPC for having committed the said offence against PW4.
- (k) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 332 of IPC for having committed the said offence against PW5.
- (l) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 332 of IPC for having committed the said offence against PW11.
- (m) The accused is sentenced to undergo simple imprisonment for one month u/s. 341 of IPC for having committed the said offence against Dr. Vandana Das.
- (n) The accused is sentenced to undergo rigorous imprisonment for two years and to pay fine of ₹10,000/- (Rupees Ten thousand only) u/s. 201 of IPC, in default of payment of fine to undergo a further period of rigorous imprisonment for one month.
- (o) The accused is sentenced to undergo rigorous imprisonment for five years and to

pay fine of ₹50,000/- (Rupees Fifty thousand only) u/s. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012, in default of payment of fine to undergo a further period of rigorous imprisonment for three months.

- (p) It is directed that the term sentences will run consecutively, subject to the rider that term sentences imposed u/s. 307, 326, 324 and 333 of IPC in the case of PW3 will run concurrently and term sentences imposed u/s. 324 and 332 of IPC in the case of PW4 will run concurrently and term sentences imposed u/s. 324 and 332 of IPC in the case of PW5 will run concurrently and term sentences u/s. 323 and 332 of IPC in the case of PW11 will run concurrently.
- (q) It is directed that the life sentence u/s. 302 of IPC will commence only after the completion of the term sentences, subject to the further direction that the substantive sentence imposed u/s. 341 of IPC will run concurrently with the life sentence u/s. 302 of IPC, since both sentences relate to the same victim (Dr. Vandana Das).

The period of detention already undergone by the accused from 10.05.2023 till 21.03.2026 will be set off, in case the sentence of imprisonment for life is either remitted or commuted by the appropriate Government.

If the fine amount imposed u/s. 302 of IPC is realised, it will be paid as compensation to the legal heirs of the deceased u/s. 357(1)(b) of Cr.PC. Further, if the fine amounts imposed u/s. 307, 326 and 333 of IPC are realised, half portion of the fine amount will be paid as compensation to PW3 u/s. 357(1)(b) of Cr.PC.

MO1 will be broken up and sold as per Rule 268 of the Kerala Criminal Rules of Practice after the appeal period is over. MO2, MO3, MO9, MO10, MO12 to MO18, MO23 and MO24 being valueless will be destroyed after the appeal period is over. MO4 to MO8 series are the personal properties of Dr. Vandana Das. It is ordered that the said properties will be returned to the parents of Dr. Vandana Das after the appeal period is over. MO11 mobile phone was seized from the possession of the accused. MO11 is not shown to have been used in the commission of the crime. Therefore, MO11 will

be returned to the accused after the appeal period is over. MO19 to MO21 being electronic properties will be disposed of as per Rules after the appeal period is over.

Dates of trial & hearing : 29.05.2024, 12.02.2025, 13.02.2025, 14.02.2025, 15.02.2025, 19.02.2025, 27.02.2025, 28.02.2025, 01.03.2025, 20.03.2025, 26.03.2025, 28.03.2025, 11.04.2025, 30.06.2025, 12.08.2025, 13.08.2025, 14.08.2025, 18.08.2025, 19.08.2025, 25.08.2025, 30.08.2025, 09.09.2025, 10.09.2025, 11.09.2025, 15.09.2025, 08.10.2025, 27.10.2025, 29.10.2025, 03.11.2025, 04.11.2025, 18.11.2025, 19.11.2025, 20.11.2025, 24.11.2025, 01.12.2025, 02.12.2025, 03.12.2025, 04.12.2025, 18.12.2025, 22.12.2025, 03.01.2026, 16.01.2026, 28.01.2026, 29.01.2026, 30.01.2026, 02.02.2026, 03.02.2026, 05.02.2026, 06.02.2026, 09.02.2026, 11.02.2026, 26.02.2026, 28.02.2026, 02.03.2026 and 07.03.2026

This Sessions Case has been coming on for final hearing on 07.03.2026 and having stood over for consideration and on 21.03.2026 the court delivered the following:-

J U D G M E N T

This is a case charge sheeted by Kottarakkara police against the accused alleging commission of offences punishable u/s. 341, 323, 324, 332, 333, 353, 506(ii), 307, 302 and 201 of the Indian Penal Code (IPC in short) and Section 4 r/w 3 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012.

2. The following is the summary of the prosecution case as brought out by the final report:-

The accused is a school teacher and is alcoholic. As a result of the same, the accused reached a particular state of mind. On 10.05.2023 at 03.45 a.m, the accused made a telephone call to the Control Room of Pooyappally Police Station. The police party reached the house of witness no. 13 where the accused was standing. The accused was seen in a wounded condition. Thereupon, the police party removed the accused to the Kottarakkara Taluk Hospital. The accused was examined at the casualty room of the hospital and was taken to the procedure room for dressing. At that time, the accused kicked on the chest of witness no. 12 who was the bystander for the accused. Dr. Vandana Das was working as

intern at the hospital. The accused took visuals of his wound being attended by Dr. Vandana Das in the mobile phone of the accused and circulated the same in WhatsApp groups. The accused took possession of a surgical scissors from the procedure room and came out by hiding the scissors and thereafter stabbed on the chest of witness no. 2 by using the scissors with the intention to commit murder. The accused repeatedly stabbed witness no. 2 and witness no. 3 with the intention to commit murder. The accused also stabbed witness no. 5 and witness no. 11 with intent to commit murder. Thereafter, the accused stabbed witness no. 4 with intent to commit murder. At that time, Dr. Vandana Das reached the observation room. The accused repeatedly stabbed Dr. Vandana Das by using the surgical scissors and with intent to commit murder and inflicted grave injuries. Thereafter, the accused washed the surgical scissors by using a water filter and thereby destroyed evidence. Dr. Vandana Das died as a result of the injuries. Thereby, the accused committed murder of Dr. Vandana Das. The accused obstructed witnesses 3 to 11 who were public officials in discharging their official duties. Thereby, the accused committed the offences.

3. Originally, case was registered as crime no. 1202/2023. After the completion of investigation, final report was laid against the accused alleging commission of the above mentioned offences.

4. The final report was filed before the Court of Judicial First Class Magistrate-I, Kottarakkara. The case was taken into the file of the said court as C.P. No. 53/2023. The accused who was under judicial custody was produced before the committal court. After complying with the procedural requirements, the case was committed to the Court of Session, Kollam.

5. The Court of Session made over the case to this court for trial and disposal.

6. The accused was produced before this court. He continues to be under judicial custody.

7. The prosecution is represented by the Special Public Prosecutor. The accused is represented by counsel.

8. The learned Special Public Prosecutor opened the case for the prosecution by describing the charge brought against the accused and stating by what evidence he proposes to prove the guilt of the accused.

9. After hearing both sides and after verifying the records of the case, this court framed charge against the accused u/s. 302, 307, 326, 323, 324, 506(ii), 332, 333, 341, 353 and 201 of IPC and Sec. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012. Charge was read over and explained to the accused to which he pleaded not guilty.

10. On the side of the prosecution, PW1 to PW70 were examined and Ext.P1 to Ext.P207 and MO1 to MO21 were marked. The remaining witnesses were given up by the prosecution.

11. When the accused was questioned u/s. 313 of Cr.PC, he denied the incriminating circumstances appearing in evidence against him and stated that he is innocent. The accused filed a statement reiterating his defence.

12. Thereafter, both sides were heard u/s. 232 of Cr.P.C. This Court was of the opinion that sufficient grounds were not made out to acquit the accused at that stage. Therefore, the accused was called upon to enter on his defence.

13. On the side of the accused, DW1 to DW3 were examined and Ext.D1 to Ext.D6 series were marked.

14. Both sides were heard.

15. According to me, the following points arise for consideration in the case:-

- (1) Whether the accused committed the acts by which death of Dr. Vandana Das was caused ?
- (2) Whether the accused committed the acts by which grievous hurt and hurt were caused to the injured ?
- (3) Whether the accused committed the acts by which Dr. Vandana Das was wrongfully restrained ?
- (4) Whether the accused committed the acts by which grievous hurt and hurt were caused to the injured public officials and by which they were deterred from discharging their official duties?
- (5) Whether the accused committed the act by which evidence relating to commission of crime was caused to disappear ?
- (6) Whether the accused committed the acts by which witnesses PW2 to PW11 were threatened by threatening to kill them ?
- (7) Whether the accused committed the acts by which violence was committed against health personnel working at the hospital ?
- (8) Whether the accused is entitled to the protection of Sec. 84 of the Indian Penal Code ?
- (9) Whether the accused is proved to have committed culpable homicide amounting to murder of Dr. Vandana Das and

thereby committed offence punishable u/s. 302 of IPC ?

- (10) Whether the accused is proved to have voluntarily caused grievous hurt to PW2 to PW5 and attempted to commit murder of the said witnesses and thereby committed offences punishable u/s. 326 and 307 of IPC ?
- (11) Whether the accused is proved to have voluntarily caused hurt to PW11 by means of dangerous weapon of offence and otherwise and thereby committed offences punishable u/s. 323 and 324 of IPC ?
- (12) Whether the accused is proved to have committed criminal intimidation against PW2 to PW11 by threatening to kill them and thereby committed offence punishable u/s. 506(ii) of IPC ?
- (13) Whether the accused is proved to have voluntarily caused grievous hurt to PW3 to PW5 who were public officials acting in the discharge of their official duties and deterred them from discharging their official duties and thereby committed offence punishable u/s. 333 of IPC ?
- (14) Whether the accused is proved to have voluntarily caused hurt to PW11 who was a police official acting in the due discharge of his official duties and thereby deterred him from discharging his duties as a public servant and thereby committed offence punishable u/s. 332 of IPC ?
- (15) Whether the accused is proved to have wrongfully restrained Dr. Vandana Das and thereby committed offence punishable u/s. 341 of IPC ?
- (16) Whether the accused is proved to have assaulted PW6 to PW11 who were public servants acting in the discharge of their official duties and thereby deterred them from discharging their official duties and thereby committed offence punishable u/s. 353 of IPC ?

- (17) Whether the accused is proved to have caused disappearance of evidence relating to commission of crime and thereby committed offence punishable u/s. 201 of IPC ?
- (18) Whether the accused is proved to have committed violence against health personnel working at the Govt. Taluk Hospital, Kottarakkara and thereby committed offence punishable u/s. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012 ?
- (19) If found guilty, what is the proper sentence to be awarded ?

16. **Points 1 to 7:-** The said points are considered and answered together.

The accused is facing prosecution on multiple charges. He faces charge for having wrongfully restrained Dr. Vandana Das and for commission of murder of Dr. Vandana Das. He faces charge for having unleashed violence against the other victims and for having voluntarily caused grievous hurt and hurt to them and for obstructing the victims who are public officials from discharging their official duties and for having committed criminal intimidation and for having committed violence against health personnel.

17. The accused has denied the charge. In particular, the accused has projected a plea of unsoundness of mind and claims the protection of

general exception as contained in Sec. 84 of the Indian Penal Code which is the law applicable.

18. At this stage, I proceed to analyse the question whether the acts attributed to the accused in the context of multiple charges are proved to have been committed by the accused. It is only upon proof of the commission of the said acts that the question of application of Sec. 84 of the Indian Penal Code will spring up for adjudication.

19. I propose to discuss the oral and documentary evidence adduced by both sides.

20. PW1 is a doctor. At the relevant time, he along with Dr.Vandana Das were working as interns at the Taluk Hospital, Kottarakkara. PW1 is the first informant as well. PW1 gave evidence as follows :-

During the year 2023, PW1 and Dr. Vandana Das completed MBBS course from Azeezia Medical College and were doing internship at the Taluk Hospital, Kottarakkara. On 09.05.2023, PW1 and Dr. Vandana Das were working at the Casualty Section of the hospital. Dr. Pournami was the Casualty Medical Officer. At about 12 a.m, Dr. Pournami went for rest after rush at the hospital subsided. On 10.05.2023 at 05 a.m, the accused

was brought to the Casualty Section of the hospital along with a bystander. The accused said that he sustained injury due to fall and he was brought by Pooyappally Police. There were wounds on the left leg of the accused. The patient was referred to the procedure room. The accused as per the direction lied down on a table. PW1 asked the duty nurse to bring the nursing assistant in order to dress the wound. At that time, the bystander came out of the procedure room and said that the accused kicked the bystander. Dr. Vandana Das reached the place. The accused suddenly came out of the procedure room. PW1 asked the accused to return to the table and the accused obeyed. The nursing assistant arrived at the place. PW1 and Dr. Vandana Das inspected the wounds and directed to take X-ray and to dress the wound. PW1 noted the same on the OP ticket and handed over the same to the bystander. At that time, the accused was doing something in mobile phone. PW1 and Dr. Vandana Das went to the consultation room. After sometime, they came out upon hearing sound. The accused was seen having a scuffle with a police officer at the corridor. The accused pushed down the police officer on a chair in the casualty waiting area and repeatedly stabbed on the right hand of the police officer by using the scissors that was under user at the hospital. The accused stabbed another police officer and ambulance driver named Rajesh who

tried to interfere. In the meantime, Dr. Vandana Das left the place by crossing casualty waiting area. Thereafter, the accused entered into a scuffle with police officer and both of them fell down and the accused suddenly stood up. The accused stabbed on the head of another police officer who reached the place. The said police officer sustained bleeding and he left the place. PW1 also went out. After sometime, PW1 rushed inside upon hearing the sound of cries of a lady. A cleaning staff showed her hand towards the observation room. PW1 reached the observation room. Dr. Vandana Das was seen sitting on the floor. The accused held the left hand of Dr. Vandana Das and repeatedly stabbed on the head and back of Dr. Vandana Das by threatening that she would be killed. PW1 tried to save Dr. Vandana Das by dragging her leg. The accused again stabbed Dr. Vandana Das. PW1 kicked the accused on his left hand and removed Dr. Vandana Das and brought her outside. Dr. Vandana Das fell down at the veranda. PW1 and another police officer brought Dr. Vandana Das to the Police Aid Post room. Dr. Vandana Das said that he had stabbed her several times and she suffered suffocation. PW1 brought Dr. Vandana Das outside and took her in a police jeep to Vijaya Hospital. Dr. Vandana Das was intubated at the hospital. She was shifted to the KIMS Hospital, Thiruvananthapuram. She died at the said hospital. PW1 identified the

accused in the dock. PW1 lodged Ext.P1 first information statement. At that time, he was mentally disturbed and he could not give a detailed statement. It was subsequently that he gave a detailed statement before the Crime Branch. PW1 identified the relevant visuals in the CCTV footage that were shown to him. Sufficient light was available at the hospital to see the occurrence. Ext.P2 which is copy of the attendance register of interns and Ext.P2(a) which is copy of the relevant page were marked through PW1. PW1 identified MO1 as the surgical scissors used by the accused, MO2 and MO3 as the dresses worn by the accused, MO4 and MO5 as the dresses worn by Dr. Vandana Das, MO6 as the stethoscope and MO7 as the pen used by Dr. Vandana Das. PW1 also identified MO8 series as the chappal worn by Dr. Vandana Das and MO9 as the pouch of the mobile phone used by the accused.

21. PW2 is an independent witness. His evidence is as follows:-

The accused is known to PW2. On 10.05.2023 at 03.45 p.m, a neighbour named Padmasree Sreekumar and his wife telephoned PW2. He was informed that the accused was creating quarrel at the house of one Padinjattethil Sreekumar. Thereupon, PW2 reached the house of Padinjattethil Sreekumar. The accused was sitting on a chair and was telephoning the police. The accused told PW2 that somebody were trying

to kill the accused. PW2 brought the brother-in-law of the accused named Rajendran Pillai to the place. The police arrived at the place. The accused insisted that he was to be taken to the police station. The police party noted wound on the leg of the accused and suggested to take him to hospital. The accused entered into the police jeep with a stick. Sub Inspector of Police removed the stick. The said conduct was disliked by the accused. The accused by questioning as to whether they were going to kill the accused lied beneath the police jeep. PW2 scolded the accused. As per the insistence of the police, PW2 and Rajendran Pillai accompanied the accused to the Taluk Hospital, Kottarakkara. OP ticket was taken and Dr. Shubin (PW1) examined the accused and suggested to dress wound. The accused and Rajendran Pillai entered into the dressing room. After sometime, Rajendran Pillai came out and said that he was kicked by the accused. Dr. Vandana Das along with PW1 entered into the dressing room and they came out after sometime. PW1 noted on the OP ticket that X-ray of the leg of the accused was to be taken and handed over the OP ticket to PW2. PW2 told the accused who came out from the dressing room that X-ray was to be taken. The accused hit on the neck of PW2. PW2 sustained bleeding. PW2 noted that the accused was having a scissors in his right hand. The accused stabbed Home Guard Alex Kutty on his head

and also stabbed on the ribs of PW2. PW2 got terrified and entered into the dressing room and closed the room. After sometime, it was noted that the police party had overpowered the accused. PW2 underwent treatment at Vijaya Hospital and at NS Hospital. PW2 identified the accused in the dock and the in CCTV visuals containing the visuals of PW2 and others. He identified MO1 as the scissors carried by the accused and MO10 as the T-shirt worn by PW2 and MO11 as the mobile phone of the accused and Ext.P3 as the OP ticket. He further stated that light was available at the hospital.

22. PW3 was working as Home Guard attached to Pooyappally Police Station. He gave evidence as follows:-

On 09.05.2023, the police party led by Sub Inspector of Police Baby Mohan in which PW3 was a member were doing patrol duty. At about 01 a.m, Sub Inspector of Police got message to the effect that somebody were attacking one Sandeep. The said information was reiterated by Sandeep (the accused) with whom Sub Inspector of Police had telephonic conversation. By the time the police party reached the place, the phone of the accused was switched off. Subsequently, as per the information received from Control room and the telephone message from the accused, the police party reached a house where the accused was standing with a

stick. He was surrounded by some persons. The accused insisted that he was to be taken to the police station. A wound was seen on the leg of the accused. Finally, the accused was made to enter into the police jeep. Sub Inspector of Police removed the stick that was carried by the accused. Thereupon, the accused got down and lied beneath the police jeep. PW2 scolded the accused and the accused entered into the police jeep along with PW2 and Rajendran Pillai. They reached the Taluk Hospital at Kottarakkara. After sometime, Rajendran Pillai was kicked by the accused. PW1 and Dr. Vandana Das entered into the dressing room. PW1 directed to take X-ray. Suddenly, the accused came out from the dressing room and hit on the neck of PW2. The accused was seen carrying a scissors. The accused stabbed PW3 and PW2. A scuffle took place. PW3 was again stabbed by the accused and PW3 was pushed on to a chair. In the meantime, Sub Inspector of Police and police driver reached the place and they had a scuffle with the accused. PW3 rushed out. After sometime, PW3 saw that Sub Inspector of Police Manilal of the Police Aid Post had sustained injury. Manilal stated that he was stabbed by the accused. In the meantime, PW1 brought Dr. Vandana Das outside and was taken to the hospital in a police jeep. PW3 underwent treatment at Vijaya Hospital. He identified MO1 as the scissors used by the accused. PW3 explained the

motive for the crime by stating that the accused did not like his stick being removed by Sub Inspector of Police and the delay caused by the police party in reaching the place and PW2 and Rajendran Pillai being made to travel in the police jeep. The discharge of duties by PW3 was obstructed. PW3 identified MO12, MO13, MO14 and MO15 as shirt, pants, handkerchief and banyan used by him at the time of commission of the crime. He also identified the CCTV visuals depicting himself and others. He referred to difference in date and time as recorded in the CCTV visuals.

23. PW4 was Assistant Sub Inspector of Police attached to Kottarakkara Police Station. He is one among the victims in the case. He gave evidence as follows:-

On 09.05.2023, PW4 was doing Aid Post duty at the Taluk Hospital, Kottarakkara. On 10.05.2023 at 02 a.m, he went to Aid Post room to take rest. At about 05 a.m, he heard sound from the casualty and he went to the casualty hall. At that time, Sub Inspector of police named Baby Mohan and the accused were seen having a scuffle and both of them fell down. When PW4 went inside, the accused pushed PW4 and stabbed him by using a scissors that was carried by the accused. PW4 came out and went to the Aid Post room. At that time, PW1 was seen bringing Dr. Vandana Das. The lady doctor fell down and she was removed to the Aid Post

room. PW4 saw PW3 standing in a bleeding condition. PW4 along with PW3 went to the hospital in an ambulance. PW4 subsequently underwent inpatient treatment. The accused committed the acts against PW4 with intention to commit murder of PW4. He identified the accused in the dock. PW4 also identified MO1 as the scissors used by the accused. PW4 further stated that he could not continue with his official duties. PW4 identified MO16, MO17 and MO18 as the dresses worn by him at the time of occurrence. PW4 identified himself and others in the CCTV visuals involving PW4.

24. PW5 was working as ambulance driver attached to Kottarakkara Taluk Hospital. He gave evidence as follows:-

On 09.05.2023 at 08 a.m, PW5 joined for duty. He had night duty also. On 10.05.2023 at 02.30 a.m, he went for rest at the red area of the hospital. He woke up at about 05 a.m upon hearing sound and reached near observation room and thereafter ran towards casualty area as per the information given by nursing assistant named Jayanthi. The accused was seen stabbing another person who was made to sit on an iron chair and Sub Inspector of Police was trying to interfere from the back side. PW5 caught hold of the accused. The accused stabbed on the left muscle of PW5 by using scissors. Thereafter, the accused stabbed on the head and

neck of the police officer who was sitting on the chair. When the Sub Inspector of Police caught hold of the accused, a scuffle took place. Another police man reached the place with a plastic chair and he threw the chair against the accused. The said object came into contact with the body of the accused and got broken. PW4 who was on duty at the Aid Post came to the place. The accused stabbed on the head of PW4 by using the scissors. The accused started to proceed towards PW5. Thereupon, a nurse named Remya and two other nurses named Anila and Johnsy along with PW5 entered into changing room and locked the room. Thereafter, nursing assistant named Jayanthi also entered into the room. PW5 came out of the room and when he saw the accused, he ran back to the changing room. At that time, Dr. Pournami and Dr. Vandana Das came out. PW5 asked the doctors to enter into the room and close the room. After sometime, PW5 heard the sound of cries of a lady from the observation room. PW5 opened the door and looked out. The accused was seen stabbing on the neck and shoulder of Dr. Vandana Das who was sitting on the floor. Somebody was seen pushing the leg of Dr. Vandana Das. After sometime, PW5 came out. The accused was seen sitting on an iron chair and he was carrying a scissors. The accused washed the scissors in the tap of a water filter which was placed near the outpatient counter. After

sometime, police officials who were carrying stick like lathi came to the place. The accused stood up from the chair and dropped scissors on the floor. PW5 along with police officials overpowered the accused and brought him to the casualty sit-out and tied his hands and legs by using towel and was taken to Kottarakkara Police Station. Light was available at the hospital. PW5 identified MO1 as the scissors used by the accused. PW5 identified himself and others in the relevant CCTV visuals that were played in the court.

25. PW6 was working as Grade-II Attender at Taluk Hospital, Kottarakkara. She gave the following narration of the occurrence :-

On 09.05.2023, PW6 was on night duty from 06 p.m till 06 a.m of 10.05.2023. PW1 and Dr. Vandana Das were on duty as House Surgeons at the Casualty Section. On 10.05.2023 at 04.45 a.m, the accused along with another person reached the dressing room. The accused was limping. PW1 asked the nurse named Remya to bring nursing assistant. In the meantime, the person who accompanied the accused came out and said that the accused stabbed him. The accused who came out from the dressing room hit a person wearing red shirt and a police man. The accused was carrying a scissors. The accused stabbed the above said persons. The police man fell down in the course of scuffle. The police man sat on a

chair. The accused stabbed the said police man. Two other police officers and PW5 reached the place. The accused stabbed PW5, while PW5 was trying to hold the accused. A police man threw a chair against the accused. The accused stabbed on the head of a police officer who was on hospital duty. Subsequently, Dr. Vandana Das reached the place. PW6 warned Dr. Vandana Das to move away. In the mean time, the accused repeatedly stabbed on the head and neck of the doctor. PW1 came rushing to the place. PW6 pointed out the observation room to PW1 and left to the green area. She could hear the cries of Dr. Vandana Das. After sometime, the accused was seen overpowered and tied by the police. PW6 identified MO1 as the scissors used by the accused. She also identified the accused in the dock.

26. PW7 was working as Data Entry Operator at the Taluk Hospital, Kottarakkara. She gave evidence as follows :-

She joined duty at the casualty OP counter on 09.05.2023 at 06 p.m. Dr. Pournami was the Casualty Medical Officer. PW1 and Dr. Vandana Das were on duty as House Surgeons. On 10.05.2023 at 04.40 a.m, the accused accompanied by two others and three police officers reached the casualty to take outpatient ticket. A bearded youngster described the name of the patient as Sandeep and the address of the patient. They went to

doctors room. PW1 and Dr. Vandana Das went to the dressing room. After sometime, an aged man who had accompanied the accused said that he was stabbed by the accused. After sometime, the accused and a police officer were seen having scuffle and they reached the casualty hall and the accused pushed the police officer into a chair and hit on the head of the police officer. The accused attacked another police officer and PW5 who tried to restrain the accused. Another policeman threw a chair against the accused. The accused entered into a scuffle with one police officer and they fell down in front of outpatient counter. The accused hit on the head of the police officer on duty at the Aid Post who had reached the place. The accused was seen walking towards observation room by carrying a knife. After sometime, the sound of cries of a lady was heard. PW1 was seen running towards the said area. Thereafter, PW1 was seen bringing Dr. Vandana Das outside. The accused was seen coming to the hall. PW7 was accompanied by her child. PW7 and child moved beneath the table. Sound of falling of water from the tap in the water filter was heard. PW7 conveyed the information to the Superintendent. She came out of the counter only after the accused was overpowered. PW7 identified MO1 as the scissors carried by the accused and Ext.P3 as the outpatient ticket issued by her. PW7 realised subsequently that the accused had committed

stabbing by using MO1. MO1 was subsequently seen lying beneath the water filter. PW7 identified herself and others in the CCTV visuals which were played in the court.

27. PW8 was working as Nursing Officer at the Taluk Hospital, Kottarakkara. She gave evidence as follows :-

She was on night duty in the Casualty Section from 06 p.m of 09.05.2023 till 08 a.m of 10.05.2023. On 10.05.2023 at about 04.45 a.m, the accused was brought for treatment at the hospital and he was limping and he was accompanied by an aged bystander. They reached the dressing room. PW8 as per the direction of PW1 called nursing assistant named Jayanthi to the place. After sometime, the bystander came out of the dressing room and said that he was kicked by the accused. PW1 and Dr. Vandana Das entered into the dressing room. Dr. Vandana Das came out of the dressing room. PW8 said that intimation would be necessary and matter was to be informed to Dr. Pournami. Dr. Vandana Das went to the consulting room and PW8 entered into the injection room. After sometime, she came out upon hearing sound. The accused and the policeman were having a scuffle and the policeman fell down and the accused hit on the head of the policeman. The accused was seen carrying scissors. PW8 entered into the injection room and looked out through the

glass door. A scuffle was taking place between the accused and a policeman. PW5 was seen running to the hall. After sometime, PW8 came out after hearing the sound of cries. The accused was seen stabbing on the head of Home Guard Alex Kutty who was sitting on a chair. The accused attempted to stab Sub Inspector of Police who tried to restrain the accused. Another policeman threw a chair against the accused. The accused and Sub Inspector of Police entered into a scuffle and Sub Inspector of Police fell down. At that time, the police officer named Manilal reached the place and the accused stabbed on his head. PW8 and others entered into the changing room and closed the door. After sometime, the sound of cries of a lady was heard from the observation room. PW5 looked out and stated that Dr. Vandana Das was stabbed. PW8 informed the matter to the night supervisor named Smitha through telephone. Subsequently, the accused was seen tied down. PW8 identified the accused in the dock. She identified MO1 as the scissors used by the accused. She further stated that she could see everything clearly in the light. She identified herself and others in the relevant CCTV visuals.

28. PW9 was working as Nursing Assistant at Taluk Hospital at Kottarakkara. She gave evidence as follows :-

PW9 was on night shift duty from 06 p.m of 09.05.2023 upto 08 a.m on the next day. At about 02 a.m, PW9 went to the changing room for nurses to take rest. At about 04.45 a.m, PW8 came and said that a patient had to be attended. PW9 after sometime went to the observation room. The patient was lying on the table. PW1 and Dr. Vandana Das came and directed to clean the wound. There was wound on the right and left legs of the patient. PW9 cleaned the wounds. After applying ointment on the wound of the patient, PW9 went to collect bleaching solution and bandage. By the time she returned, the accused was seen walking out. The accused did not pay heed to the words of PW9 to the effect that he could go after dressing the wound. PW9 followed the accused. The accused was seen hitting on the head of a person wearing red shirt who was standing in the corridor. The accused also hit on the head of a policeman who tried to interfere. Blood was seen coming from the head of the policeman. It was seen that the accused was carrying scissors in his right hand. The accused stabbed the person wearing red shirt again. The accused and the policeman entered into a scuffle and fell down near a bed. The accused was again stabbing the policeman. PW9 got terrified and moved away. At that time, PW5 came to the place. PW9 heard the sound of cries and commotion. After sometime, the accused was seen coming towards the observation

room. PW9, PW5 and others waited in the Nurse's changing room. At that time, sound of cries of a lady was heard from outside. When PW9 came and looked out, the accused was seen lying in the car porch area with hands and legs tied. PW9 looked for the scissors in the procedure room and it was found to be missing. PW9 realised that the scissors was removed by the accused. The scissors was being used to cut bandages and pads. The accused had clandestinely removed the scissors from the table. The accused had hidden the scissors in his hand. On 10.05.2023, it was noted in the inventory book that one scissors was missing. The copies of the relevant pages of the book were marked as Ext.P4 and Ext.P4(a). PW9 stated that everything could be seen in the hospital light. PW9 identified MO1 as the scissors used by the accused. PW9 identified the accused in the dock. PW9 also identified herself and others in the relevant CCTV visuals which were played in the court.

29. PW10 was working as driver attached to Pooyappally Police Station. He was driving the police jeep in which the police party reached the place where the accused was present. PW10 more or less repeated the evidence of PW3 with regard to the circumstances under which the accused happened to be shifted to the Taluk Hospital at Kottarakkara. PW10 also repeated the evidence of PW3 with regard to the accused being taken to the

dressing room of the hospital and Rajendran Pillai who had accompanied the accused complaining that the accused had kicked Rajendran Pillai. PW10 further stated that he witnessed the accused hitting PW2 and stabbing on the head of PW3 and thereafter stabbing PW2. PW10 referred to the arrival of Sub Inspector of Police to the place and scuffle taking between the accused and PW3. PW10 further stated that he threw a chair against the accused and he saw PW3 and Sub Inspector of Police in wounded conditions. He further stated that he saw PW1 removing Dr. Vandana Das from the hospital at a time when Dr. Vandana Das was in a wounded condition. PW10 further stated that he took PW1 and Dr. Vandana Das in the police jeep to the Vijaya Hospital. PW10 identified MO1 as the scissors used by the accused. PW10 identified himself and others in the relevant CCTV visuals that were played in the court.

30. PW11 was Sub Inspector of Police, Pooyappally. It was the police party led by PW11 who removed the accused to the Taluk Hospital at Kottarakkara. PW11 more or less repeated the evidence of PW3 and PW10 with regard to the circumstances under which the accused happened to be shifted to the hospital. PW11 also repeated the evidence of PW3 and PW10 with regard to Rajendran Pillai complaining that the accused had kicked Rajendran Pillai and the accused attacking PW3 and PW5 and

stabbing them by using scissors. PW11 further stated that the accused attempted to stab PW11 several times and PW11 did not receive the stabbings, since he had moved away and had he received the stabbings, he would have died. PW11 also referred to the attempt of PW5 to restrain the accused and PW10 throwing a chair against the accused. PW11 further stated that he had a scuffle with the accused and he fell down and he sustained pain and wound and he had to go out in order to secure the presence of more police force, since the accused could not be overpowered with the available police force. PW11 further stated that he underwent treatment at the Vijaya Hospital. PW11 explained the motive for the accused to behave in the above manner by stating that the accused became inimical towards PW2, since PW2 had scolded the accused and the accused did not like PW2 and Rajendran Pillai moving in the police jeep to the hospital and the accused was also irritated, since PW11 removed a stick from the hand of the accused and since the police party was late in reaching the place. PW11 identified MO11 as the scissors used by the accused in the commission of the crime. PW11 further stated that he had seen CCTV visuals regarding the occurrence and date and time were wrongly entered in the CCTV camera.

31. PW12 was Scientific Officer attached to the State Forensic Science Laboratory, Thiruvananthapuram. According to her, she examined the material objects in this case and issued Ext.P5 report. Ext.P5(a) is Annexure-1 device details. Ext.P5(b) is Annexure-2 pen drive, forming part of the report. She examined MO11 mobile phone containing MO21 SIM card and she analysed MO19 hard disk and retrieved CCTV visuals and copied the same in the pen drive. She further stated that she examined Ext.P7 series standard photographs and identified the persons found in the CCTV visuals. The relevant CCTV visuals were marked through PW12 as Ext.P5 series. PW2 also gave evidence with regard to the identity of the persons found in the CCTV visuals.

32. PW13 is Rajendran Pillai referred to by PW2 who had accompanied the accused to the hospital. PW13 more or less repeated the evidence of PW2 with regard to the circumstances under which the accused was shifted to the Taluk Hospital at Kottarakkara. PW13 further stated that he accompanied the accused to the dressing room of the Casualty Section of the hospital and made the accused to lie on the table and helped to place the leg of the accused in a proper position. PW13 further stated that the accused kicked PW3 with the same leg on the shoulder and PW13 got perplexed and PW13 upon looking at the face of the accused got the

impression that the accused deliberately committed the said act. PW13 came out and informed the matter to PW2 and scolded PW2 and expressed his reluctance to look after the accused to PW2 and police officials. As directed by Sub Inspector of Police, PW13 informed the matter to the elder brother of the accused named Sajith. At that time, PW13 heard sound of commotion from the hospital and when PW13 looked into the casualty ward from the veranda, the accused appeared to be hitting on the head of the Home Guard. PW13 informed the matter to the police officer who was sitting inside the jeep. After sometime, the accused let off the Home Guard and went inside. PW1 came out by carrying a young girl and the young girl fell down and she was taken to the nearby room and was made to sit there. In the meantime, Home Guard and a police officer were taken to Vijaya Hospital in an ambulance. PW1 and the young lady who fainted were taken to Vijaya Hospital in police jeep. More police force arrived at the place and they overpowered the accused. PW2 came out and stated that he was stabbed by the accused. PW13 accompanied PW2 to the Vijaya Hospital. PW13 identified the accused in the dock. PW13 identified MO22 as the shirt worn by him. He also identified Ext.P7(f) photograph as containing his picture.

33. PW14 was a student of MBBS at Kollam Azeezia Medical College and she was doing House Surgency. According to her, on 10.05.2023 at 05.15 a.m, PW1 telephoned her and informed her about the incident. PW14 along with another House Surgeon named Dr. Gopika reached Vijaya Hospital. At that time, Dr. Vandana Das was unconscious and was intubated. As directed by the doctor at the hospital and as per the instructions of the management of Azeezia Medical College, Dr. Vandana Das was shifted to KIMS Hospital, Thiruvananthapuram in an ambulance. PW14 and others travelled in the ambulance and reached KIMS Hospital. Dr. Vandana Das was declared as dead at about 08.15 a.m. PW14 identified four photographs among Ext.P7 series photographs as that of Dr. Vandana Das and produced by PW14.

34. PW15 was Headmistress of Nedumpana Upper Primary School. According to her, the accused was a protected teacher at the school from 14.12.2021 onwards and he used to impart classes in Malayalam and Social Science in standards V and VII and he never committed any default in the affairs of the school. The accused used to take classes well and a video containing visuals showing the accused reciting poem to the students circulated in the social media. PW15 further stated that on 07.05.2023, she along with her husband reached N.S

Hospital to visit her brother and she met the accused at the hospital and she along with her husband visited the mother of the accused who was admitted at the hospital.

35. PW16 was Senior Nursing Officer at the Taluk Hospital, Kottarakkara. According to her, she was informed about the incident by a colleague named Remya on 10.05.2023. PW16 joined duty on 10.05.2023 at 08 a.m in the Casualty Section. A curved scissors was found to be missing and it was informed that the said instrument was used in the commission of the crime. She further stated that MO1 is the scissors referred to by her and the same was shown as missing in Ext.P4(a).

36. PW17 was working as Nursing Assistant at the N.S Hospital, Kollam. He gave evidence as follows :-

The mother of the accused got infected with the dengue fever and was admitted at the hospital of PW17. On 06.05.2023, while PW17 was on night duty, the accused asked for betadine ointment in connection with injury on the leg of the accused and PW17 replied that the same could not be given without asking senior staff and the accused scolded PW17. Senior staff permitted to give ointment. PW17 could not open the tube. The accused himself opened the tube. After sometime, the accused was

seen to have taken instrument like surgical blade from dressing trolley. The accused asked as to whether the said instrument could cause injury and asked whether surgery was being done with such instruments. PW17 asked the accused to replace the instruments. The accused scolded PW17 regarding non-getting of a separate room even through MEDISEP insurance. During morning hours, PW17 went to the 7th floor and the accused was seen standing in queue at the pharmacy to get medicine. The accused scolded PW17 and asked as to whether PW17 was having duty at the 9th floor. There was no reason for the accused to scold PW17.

37. PW18 is the wife of the accused. She gave evidence as follows:-

PW18 is working as teacher at Thevalakkara Lower Primary School. The marriage took place during April, 2008. It was a love marriage. It was after marriage that PW18 realised that the accused was a drunkard. He used to reach home late on everyday after consuming liquor. The accused attempted to chop PW18 by using chopper and PW18 shifted residence on account of fear. She left for her home on 10.12.2018. Thereafter, the accused used to occasionally visit her and telephone her. The accused reached her house one week before the occurrence in this case.

38. PW19 during the relevant time was working as doctor at the Vijaya Hospital, Kottarakkara. According to him, he examined Dr. Vandana Das in the Casualty Section of the hospital on 10.05.2023 at 04 a.m and he also examined police officers named Manilal and Alex Kutty. He also examined Binu (PW2). Dr. Vandana Das was shifted to KIMS Hospital. PW19 gave opinion to the effect that the injuries noted by him could be caused by using MO1.

39. PW20 was the Superintendent of Taluk Hospital, Kottarakkara. He identified Ext.P2 as the copy of attendance register of Internship Training. Ext.P8 copy of attendance register of medical officers, Ext.P9 copy of attendance register of nursing officers, Ext.P10 copy of attendance register of nursing assistants, Ext.P11 copy of attendance register of HMC staff, Ext.P12 copy of order posting interns to the hospital and Ext.P13 copy of duty register of interns were marked through PW20. He further stated that the CCTV at the hospital was functional during May, 2023 and the Investigating Officer seized the DVR of the CCTV.

40. PW21 was Principal of the Azeezia Medical College. Ext.P17 copy of gazette notification directing to give medical internship to interns and Ext.P18 copy of circular were marked through PW21. She gave

evidence to the effect that Dr. Vandana Das was at the college during May, 2023. The communications relating to posting of interns at the Taluk Hospital, Kottarakkara were marked as Ext.P19 to Ext.P22. Ext.P23 is copy of list of interns to be posted at the hospital. The names of Dr.Vandana Das and PW1 figure in the list. Ext.P24 is posting schedule of interns.

41. PW22 was Chief Medical Officer of the Vijaya Hospital, Kottarakkara. He stated that on 10.05.2023 at 05.15 a.m, he examined Dr.Vandana Das at the Casualty Section of the hospital and recorded the details in Ext.P25 case sheet. The patient was intubated. The patient was referred to higher centre. Ext.P26 is referral letter.

42. PW23 was Deputy Medical Superintendent of N.S Hospital, Kollam. He stated that he issued Ext.P27 copy of treatment record relating to the accused. Ext.P28 is also copy of treatment record of the accused. The injury was noted as 'complaint wound over right big toe medial aspect since one week'.

43. PW24 was Medical Officer attached to Vappala Primary Health Centre. He stated that on 20.05.2023, he collected the urine sample of the

accused and sealed the same and handed over the same to the Investigating Officer.

44. PW25 gave evidence to the effect that he used to receive WhatsApp messages from the accused in two WhatsApp groups. He further stated that 10.05.2023 at 06.30 a.m, he watched Ext.P5(ap) video which was forwarded from the mobile phone of the accused. The video contained visuals from the hospital.

45. PW26 was the Administrative Assistant of the Vijaya Hospital, Kottarakkara. He stated that he produced Ext.P25 case sheet relating to Dr. Vandana Das before the Investigating Officer.

46. PW27 was Deputy Nursing Superintendent of the Taluk Hospital, Kottarakkara. She stated that she signed in Ext.P29 mahazar as per which the relevant records of the hospital were seized by the Investigating Officer.

47. PW28 was working as Consultant Surgeon at N.S Hospital, Kollam. He stated that on 10.05.2023, he examined PW4 and issued Ext.P30 treatment certificate and he examined PW2 on the same date and issued Ext.P31 certificate. PW28 opined that the injuries noted in the certificates could be caused by using a weapon like MO1.

48. PW29 was General Surgeon at Vijaya Hospital, Kottarakkara. He stated that on 10.05.2023, he examined PW3 and issued Ext.P32 certificate. The patient sustained fracture skull. PW29 opined that the injuries noted in Ext.P32 are fatal in nature and the injuries could be caused by using a weapon like MO1.

49. PW30 is Staff Nurse at KIMS Hospital, Thiruvananthapuram. She stated that on 10.05.2023, she handed over the dresses worn by Dr. Vandana Das to the Investigating Officer.

50. PW31 is an attester in Ext.P33 inquest report. He admitted his signature therein.

51. PW32 is a photographer who took Ext.P34 series photographs at the time of inquest of the dead body of Dr. Vandana Das. Ext.P35 is the DVD in which the photographs were copied. Ext.P36 is certificate issued as per Sec. 65B of the Indian Evidence Act.

52. PW33 was Nursing Officer attached to Taluk Hospital, Kottarakkara. He stated that on 10.05.2023 at 09.45 a.m, he witnessed preparation of Ext.P37 scene mahazar and he signed therein. He noted the presence of blood stained foot impressions in the procedure room. He

further stated that he witnessed the presence of MO1 and MO6 to MO8 at the place.

53. PW34 was Clerk attached to the Taluk Hospital, Kottarakkara. He stated that he signed in Ext.P38 mahazar which was prepared after inspecting the CCTV monitor, DVR and the connected equipments.

54. PW35 stated that he signed in Ext.P39 mahazar which was prepared near the house of Padinjattethil Sreekumar

55. PW36 was the Manager of the Vijaya Hospital, Kottarakkara. He stated that on 22.05.2023, he signed in Ext.P40 mahazar prepared at the time of seizure of Ext.P25 treatment record.

56. PW37 was Grade Civil Police Officer attached to Chadayamangalam Police Station. He stated that on 10.05.2023, she signed in Ext.P41 mahazar at the KIMS Hospital, Thiruvananthapuram at the time of the seizure of the dresses of Dr. Vandana Das. He further stated that on the same date, he signed in Ext.P42 mahazar which was prepared at the time of seizure of samples from the body of Dr. Vandana Das for DNA analysis.

57. PW38 who was Civil Police Officer attached to Kottarakkara Police Station stated that he signed in Ext.P43 and Ext.P44 mahazars which were prepared in connection with seizure of four sealed packets and MO2 and MO3.

58. PW39 was Civil Police Officer attached to Kottarakkara Police Station. He stated that he signed in Ext.P45 mahazar as per which the blood samples of the accused were seized on 10.05.2023 and in Ext.P47 mahazar as per which Ext.P3 OP registration card was seized on 11.05.2023.

59. PW40 who was Staff Nurse attached to the Taluk Hospital, Kottarakkara stated that she signed in Ext.P46 inventory on 06.06.2023 as per which Ext.P14, Ext.P15 and Ext.P16 were seized.

60. PW41 was working as DTP Operator at the Taluk Hospital, Kottarakkara. She stated that on 06.02.2023, she signed in Ext.P47(a) scene mahazar.

61. PW42 was Working at the Taluk Hospital, Kottarakkara. She stated that on 27.06.2023, she signed in Ext.P48 inventory as per which Ext.P49 daily register was inspected.

62. PW43 who was working at the Taluk Hospital, Kottarakkara stated that on 27.06.2023, she signed in Ext.P50 inventory as per which Ext.P51 OP diagnosis register was inspected.

63. PW44 was working as Police Officer attached to the Kollam Rural Crime Branch. He stated that on 05.06.2023, he signed in Ext.P52 inventory as per which the patient visit report at Taluk Hospital, Kottarakkara was inspected by the Investigating Officer. Ext.P53 certificate as per Sec. 65B of the Indian Evidence Act was also marked through PW44.

64. PW45 who was Police Officer attached to the Kollam Rural Crime Branch stated that on 29.05.2023, he signed in Ext.P54 inventory as per which the photographs of Dr. Vandana Das were seized. He further stated that he signed in Ext.P55 inventory on 25.07.2023 as per which the treatment records of the accused were seized. He further stated that on 16.05.2023, he collected blood sample of the accused from the chemical lab at Thiruvananthapuram and produced the same before the Investigating Officer on 16.05.2023.

65. PW46 was Police Officer working under the Kollam Rural Crime Branch. He stated that he signed in Ext.P56 to Ext.P69 inventories

and mahazars relating to seizure of relevant records by the Investigating Officer.

66. PW47 was working as Police Officer attached to the Kollam Rural District Crime Branch. He stated that he signed in Ext.P56 to Ext.P64 and Ext.P67, Ext.P70 and Ext.P71 inventories and mahazars as per which relevant records were seized by the Investigating Officer. He further stated that on 22.06.2023, he produced the document received from the State Emergency Response Centre at Thiruvananthapuram before the Investigating Officer.

67. PW48 was working as Emergency Physician at the Vijaya Hospital, Kottarakkara. He stated that on 10.05.2023, he issued Ext.P72 wound certificate relating to Dr. Vandana Das. The history was assault by accused at Taluk Hospital, Kottarakkara at around 04.30 a.m on 10.05.2023, with a sharp object. Seven stab injuries were noted on the body. PW48 opined that the injuries could be caused as alleged.

68. PW48 further stated that on the same date, he issued Ext.P73 wound certificate relating to PW2 with the same history. Penetrating injury on the right side of neck and left side of chest were noted as the injuries. PW48 opined that the injuries could be caused as alleged.

69. PW48 further stated that on the same date, he issued Ext.P74 wound certificate relating to PW3 with the same history. There were six stab wounds on the head and a linear abrasion over nape of neck. PW48 opined that the injuries could be caused as alleged.

70. PW48 further stated that on the same date, he issued Ext.P75 wound certificate relating to PW4 with the same history. The patient was having curvy linear abrasion on the left side of scalp, approximately 6 cm and 0.5 cm depth and 0.5 cm width. PW48 opined that the injuries could be caused as alleged.

71. PW48 explained during cross-examination that he did not have the opportunity to see the injuries and he gave opinion on the basis of the entries made in the case sheets.

72. PW49 was Police Officer attached to Pooyappally Police Station. On 26.02.2023, he was having charge of GD. He stated that on the said date, he signed Ext.P76 inventory which was prepared after inspecting a petition filed by the accused on 09.05.2023 and the receipt. The petition and the receipt were marked as Ext.P77 and Ext.P78 respectively.

73. PW50 was staff attached to the Travancore Medicity Hospital, Kollam. He stated that Dr. Ramanathan was working at the hospital and the said doctor died. PW50 stated that he can identify the signature of Dr. Ramanathan. Ext.P79 discharge summary signed by Dr. Ramanathan and relating to the accused was marked as Ext.P79. It refers to chronic alcohol liver disease, alcohol dependence syndrome and complicated withdrawal syndrome. PW50 further stated that he signed in Ext.P80 inventory prepared by the Investigating Officer.

74. PW51 was Civil Police Officer attached to Pooyappally Police Station. He stated that on 09.05.2023, he was having charge of investigating ordinary petitions. He further stated that on the said date, the accused filed Ext.P77 petition and Ext.P78 receipt was issued regarding the same.

75. PW52 was Village Officer, Kottarakkara. He stated that as per the direction of the Investigating Officer, he inspected the scene mahazars and visited the places of occurrence and issued Ext.P81 to Ext.P85 scene plans. PW52 explained the places of occurrence noted in each of the scene plans.

76. PW53 was working as Head of the Department of Psychiatry at the Medical College Hospital, Thiruvananthapuram. He gave evidence as follows:-

On 17.05.2023, a Medical Board was constituted to evaluate the physical and mental status of the accused. The Medical Board included PW53 and other doctors. Dr. Mohan Roy was the Chairman of the Board. Ext.P8 is the report issued by the Board.

77. The following are the findings of the Board:-

On mental status examination, Mr. Sandeep was conscious, oriented and in touch with the surroundings. Psychomotor activity was normal. His talk was normal in quantum, tone and tempo, his reaction in time was normal and prosody was maintained. Talk was relevant and coherent, but slurring was observed. Persecutory and preferential delusions were reported. There were no obsessions, compulsions or thought alienation phenomena. No perceptual abnormality were present. His memory was normal, judgment was impaired and insight was poor. The report issued by the Board is Ext.P86. The report contains the signature of PW53 and other members of the Board. The Medical Board recommended a detailed inpatient evaluation with reliable informants as bystanders in a centre where safe custodial care was possible.

78. A Medical Board was again constituted on 03.06.2023 to evaluate the physical and mental status of the accused as per letter dated 20.05.2023 received from the court of Judicial First Class Magistrate-I, Kottarakkara. The accused was admitted at the hospital for evaluation. PW53 and other doctors were the members of the Board. Dr. Mohan Roy was the Chairman of the Board. The Board interviewed the accused, his mother Sarasamma, his brother Sajith and his wife Sangeetha.

79. The Board got information to the effect that the accused started using alcohol from the age of 25 years which was characterised by regular use, tolerance, withdrawal symptoms, early morning drinking and craving use of alcohol in physically hazardous situations resulting in family conflicts. The accused gave the information that his last use of alcohol was in the middle of March, 2023. But, information received from the informants showed that the accused had consumed alcohol even in May, 2023.

80. During second mental status examination, Mr. Sandeep was conscious and oriented psychomotor activity was normal. His talk was normal in quantum, tone and tempo. His reaction time was normal and prosody was maintained. Talk was relevant and coherent, persecutory and

referential, delusions were reported. There were no obsessions, compulsions or thought alienation phenomenon. Mood was anxious, affect appropriate, normal in range and reactivity, no liability was observed. Second and third person auditory hallucinations were reported. Examination of higher mental functions revealed that he was conscious and oriented. His attention, concentration, memory and abstractability were normal. His intelligence was average. His judgment was impaired and insight Grade III.

81. The report issued by the Board was marked as Ext.P87.

82. PW53 gave opinion to the effect that the accused was following a conversation pattern as per which he pretended loss of memory about facts which would be adverse to him. The accused also tried to justify his drinking habit. PW53 gave further opinion to the effect that the accused was aware as to what he was doing and what he was doing was wrong and illegal and what he was doing was punishable.

83. PW54 was working as Senior Registrar in the Department of Emergency Medicine at KIMS Hospital, Thiruvananthapuram. He stated that on 10.05.2023, the patient named Dr. Vandana Das was treated at the hospital. Ext.P88 confidential medical IP record of the patient was marked

as Ext.P88. The injuries noted on the body of the patient were explained by PW54. Ten injuries were noted. Death of the patient was declared at 08.25 a.m on 10.05.2023. PW54 opined that the injuries could be caused by using a weapon like MO1.

84. PW55 was working as Assistant Chemical Examiner at the Chemical Examiner's Laboratory, Thiruvananthapuram. She stated that on 16.05.2023, she examined three EDTA tubes containing blood samples of the accused and concluded that drugs and other intoxicating substances were not detected in the blood sample. The certificate issued by her was marked as Ext.P89.

85. PW55 further stated that on 22.05.2023, she received a sealed packet containing the urine sample of the accused and she examined the same and concluded that drugs and tranquilizers were not detected in the urine sample. The certificate issued in this regard was marked as Ext.P90.

86. The forwarding notes relating to Ext.P89 and Ext.P90 were marked as Ext.P91 and Ext.P92 respectively. PW55 further stated that the blood sample was collected on 10.05.2023 at 10.00 p.m and the urine sample was collected on 20.05.2023 at 12.10 p.m.

87. PW55 gave opinion to the effect that if the samples are not collected in time, there can be body metabolism changes which will reflect in the absence of drugs or objects like liquor in human blood or urine.

88. PW56 was working as Associate Professor and Deputy Police Surgeon in the Department of Forensic Medicine at Govt. Medical College, Thiruvananthapuram. She stated that on 10.05.2023, she conducted postmortem examination on the dead body of Dr. Vandana Das and issued Ext.P93 certificate. The following ante-mortem injuries were noted:

- “1. *Incised wound 1.8x0.1 to 0.3x1.3cm, oblique on right side of back of head. Its lower inner blunt end was 1.5cm outer to midline. There was a side cut 0.2x0.1cm at its upper margin, 1cm away from its upper outer sharp end, a skin tag 0.2x0.1cm projecting into the wound 1.2cm away from the upper outer end.*
2. *Incised wound 1x0.1 to 0.3x1cm vertical on right side of back of head 3.5cm outer to midline and 6cm above the occiput. The lower end was sharply cut and the upper end was blunt.*
3. *Incised punctured wound 0.3x0.2x1.7cm on right side of back of head 5cm outer to midline, 10cm above the level of occiput. Its lower inner end was blunt and the other end was sharply cut.*
4. *Incised punctured wound 0.4x0.3x1cm on back of head in midline over the occiput. Its lower inner end was blunt and the other end was sharply cut.*

Underneath injury numbers (1), (2), (3) and (4) scalp was oedematous and showed infiltration over an area

5x4x1cm involving only the inner layers of the scalp.

5. *Incised punctured wound 0.5x0.3x1.7cm, vertical, on left side of head, 4cm above top of left ear. Underneath skull showed a cut fracture 0.5x0.3x0.1cm. Its lower end was blunt and the other end was sharply cut.*
6. *Abrasion 2x0.2cm vertical on left side of head, lower end 3.5cm above and 1.5cm in front of root of left ear.*

Underneath injury numbers (5) and (6) the scalp showed oedema and infiltration of blood over 3x3x1cm involving only its inner layers.
7. *Incised punctured wound 0.6x0.4x1cm, horizontal, on the left side of forehead involving the temple 2cm outer to and 1cm above the outer angle of left eye. Its inner end was blunt and other end was sharply cut.*
8. *Contusion 8x1.3cm, horizontal, on the left side of forehead, with two abrasions 1.5x1cm and 0.8x0.8cm, 1cm apart and side by side. Its outer end seen surrounding the injury number (7) and was 0.2 to 1cm above eyebrow.*
9. *Contusion (on dissection of scalp) 10x8x1.5cm on the right side of head, just outer to midline 7cm above eyebrow.*
10. *Abrasion 1.5x0.5 to 1cm on left side and top of bridge of nose 0.7cm below its root.*
11. *Lacerated wound 1.6x1x0.1cm with surrounding contusion over an area 2x1.2x0.3cm involving the inner aspect of lower lip across the midline.*
12. *Incised wound 1.3x0.1 to 0.4x1.2cm, vertical with irregularity of inner margin at places and clean outer margin on back of left shoulder 13cm outer to midline and 2.5cm below top of shoulder.*
13. *Incised penetrating wound 1.2x0.1 to 0.5cm, oblique on left side of back of chest, its upper sharply cut inner end was*

1.5cm outer to midline and 4cm below the root of neck, the other end was blunt, upper margin was clear, and the lower margin was irregular and was seen penetrated into the left chest cavity by cutting through the muscles of the first intercostal space, pierced the upper part of upper lobe of the left lung and terminated there. The wound was directed downwards and forwards for a total minimum depth of 5.5cm.

14. Incised penetrating wound 1.4x0.1 to 0.5cm, oblique on left side of back of chest, its upper inner end was 1.5cm outer to midline and 12.2cm below the root of neck. Its upper outer margin showed a side cut 0.1x0.1cm and the lower inner margin showed a skin tag 0.1x0.1cm projecting into the wound. The chest cavity was seen penetrated through the muscles of 6th intercostal space and pierced the outer surface of left lung and terminated there. The wound was directed downwards and forwards for a total minimum depth of 6cm.
15. Incised penetrating wound 1.2x0.5cm, oblique on left side of back of chest, its lower end was blunt, with side cut 0.1x0.1cm of the lower inner margin 0.6cm away from the upper sharp end which was 4.8cm outer to midline and 19.9cm below root of neck and was seen penetrated the chest cavity by cutting through the muscles of 7th intercostal space, pierced the back surface of lower lobe of left lung and terminated there. The wound was directed upwards and forwards for a total minimum depth of 6.5cm.

The left chest cavity contained 750ml fluid blood. Lung was collapsed.

16. Abrasion 0.3x0.2cm on top of right shoulder, 8.5cm outer to root of neck.
17. Two incised wounds 1.1x0.4cm and 1.2x0.5cm, seen side by side 0.5cm apart and obliquely placed over an area 2x2cm

on right side of back of chest. The inner injury was 2.5cm outer to midline and 13.2cm below root of neck. The outer injury was placed 0.3cm above the inner injury. Upper end of the inner injury and lower end of the outer injury were blunt. Inner margin of the inner injury showed side cut 0.2x0.1cm and skin tag 0.2x0.1cm on the outer margin at its middle. The inner injury seen penetrated through the muscles of the 5th intercostal space pierced the back aspect of upper part of lower lobe of right lung and terminated there. The wound was directed forwards, inwards and downwards for a total minimum depth of 5.5cm. Chest cavity contained 300ml fluid blood. The lung was collapsed.

18. *Incised wound 1.1x0.6x1.2cm oblique on right side of back of chest, 5cm outer to midline and 29cm below top of shoulder, showed a side cut 0.1x0.1cm on the lower margin and skin tag 0.1x0.1cm on the upper margin, 0.2cm away from the blunt inner end.*
19. *Incised wound 1.1x0.5x2.1cm, oblique on outer aspect of left arm, 8cm below tip of shoulder.*
20. *Incised punctured wound 0.7x0.4x1.9cm oblique on back of left arm 14cm above elbow. Its outer margin showed an abrasion 0.3 to 0.5x0.5cm and a horizontally placed contusion 5.8x1x0.3cm (bluish) extending to the inner aspect of the arm from its inner margin.*
21. *Incised punctured wound 0.6x0.3x2cm oblique on back of left hand, 3.5cm above root of ring finger. Its lower inner end was blunt. An abrasion 0.5cm long was seen extending upwards and inwards from its upper margin.*
22. *Abrasion 1x0.5cm on inner aspect of upper lip, 0.5cm away from the right angle of mouth.*
23. *Abraded contusion 1.5x1x0.1cm involving the inner aspect and margins of lower lip just inner to the right angle of*

lower lip.

24. *Intercostal drainage wound 4.5x1.5cm, oblique with one black silk suture at its middle was seen on right side of chest, 9.5cm below middle of the armpit.*
25. *Intercostal drainage wound 4.5x1.5cm, horizontal, on the left side of chest, 6cm below middle of the armpit.*
26. *Abrasion 7x2 to 1cm on front of chest and adjoining under aspect of left breast with surrounding superficial contusion over an area 12x4cm to 10cm across the midline 4cm below top of breast bone.”*

89. PW56 gave opinion to the effect that death was due to penetrating injuries sustained to the chest and the incised penetrating wounds and the incised punctured wounds could have been caused by MO1 or a similar weapon.

90. PW57 was working as Scientific Officer attached to the Kollam Rural DCB Office. He stated that on 10.05.2023 at 09 a.m, he visited the scene of crime in this case as per the direction of Inspector of Police, Kottarakkara and issued Ext.P95 certificate with regard to the collection of four material objects from the scene of crime.

91. PW58 gave evidence to the effect that during May 2023, he was holding additional charge of Kollam Rural Photographer. He stated that on 10.05.2023 at 09.45 a.m, he took photographs of the scene of crime

at the time of preparation of scene mahazar. The photographs were marked as Ext.P96 series. Ext.P97 is the certificate issued as per Sec. 65B of the Indian Evidence Act. PW58 further stated that he video graphed the visuals regarding seizure of hard disk from the Taluk Hospital, Kottarakkara by the Investigating Officer and copied the same in Ext.P98 DVD and issued Ext.P99 certificate as per Sec. 65B of the Indian Evidence Act. He further stated that he took photographs of the accused and witnesses and produced the same before the Investigating Officer along with Ext.P100 certificate as per Sec. 65B of the Indian Evidence Act. PW58 identified Ext.P7 series as the said photographs. He further stated that he copied the photographs in a DVD which was marked as Ext.P101.

92. PW59 was working as Grade Sub Inspector of Police at the Kottarakkara Police Station. He stated that on 10.05.2023, he collected Ext.P3 outpatient ticket from the waste bin at Taluk Hospital, Kottarakkara at a time when he was having Aid Post duty at the hospital and produced the same before the Investigating Officer.

93. PW60 was Sub Inspector of Police, Pooyappally. He stated that he issued Ext.P102 certificate which certifies that PW3, PW10 and PW11 were having night patrol duty on 09.05.2023.

94. PW61 was Civil Police Officer attached to Chadayamangalam Police Station. She stated that she was present at the time of conduct of inquest on the dead body of Dr. Vandana Das and thereafter, she handed over the dead body to the Medical College, Thiruvananthapuram for postmortem examination and after the said examination, the dead body was handed over to relatives. PW61 further stated that the samples collected by the doctor at the time of postmortem examination were handed over to the Investigating Officer.

95. PW62 was Sub Inspector of Police attached to Kottarakkara Police Station. He stated that on 10.05.2023, he performed scene guard duty at the scene of crime at Taluk Hospital at Kottarakkara. He noted the presence of MO1 scissors near the water purifier at the casualty hall and MO6, MO7 and MO8 at the observation room. He further stated that the above objects were seized by the Investigating Officer.

96. PW63 who was Sub Inspector of Police attached to Kottarakkara Police Station stated that on 10.05.2023, he produced the accused before the Medical College at Parippally for medical examination and MO2 and MO3 dresses worn by the accused were collected by the doctor and produced before PW63 and the said dresses were produced before the Investigating Officer.

97. PW64 was Inspector of Police attached to Chadayamangalam Police Station. He stated that on 10.05.2023, he conducted inquest on the dead body of Dr. Vandana Das at the KIMS Hospital, Thiruvananthapuram and issued Ext.P33 report. He further stated that on the said date, the dresses of Dr. Vandana Das produced by the nurse of the said hospital were seized as per Ext.P41 mahazar. PW64 stated that MO4 and MO5 dresses along with the inner wear of the deceased were seized. PW64 further stated that on the same date at 03 p.m, sealed covers containing material objects seized by the doctor at the time of postmortem examination for DNA analysis were seized as per Ext.P42 mahazar.

98. PW65 was working as Consultant in Psychiatry at the Mental Health Centre, Thiruvananthapuram. According to him, on 13.05.2023, he examined the accused who was a prisoner at the Central Prison, Thiruvananthapuram. The accused was oriented and he gave calm and relevant answers and withdrawal symptoms were not seen. His answers were guarded and he did not give answers with regard to affairs including those relating to his family members. At that time, it did not appear that the accused was having any psychotic issue.

99. Subsequently, as per the order of the Hon'ble Supreme Court and as per the direction of the Health Services Director, Thiruvananthapuram, a Medical Board was constituted to assess the mental condition of the accused. The Board included PW65 and other doctors. Dr. Saritha Kumari was the Chairman of the Board. Ext.P103 is certified copy of the report issued by the Board.

100. The accused was admitted on 13.11.2024 till 04.12.2024. At the time of admission, he offered no symptoms. He was observed with no psychotropic medicines. He was evaluated with ward observation, clinical and physical examination, serial mental status evaluation and psychological evaluation. He was cooperative and appropriate ward behaviour was noted with proper etiquette maintained. He was initially guarded, but rapport was established later. His physical and clinical examination was unremarkable, except for left foot deformity due to old injury. His serial mental status examination revealed adequate eye contact and normal psychomotor activity speech. His speech was coherent, relevant and normal rate. Prosody was maintained. Affect was constricted with adequate reactivity. No perceptual abnormality was detected. He had normal goal directed thoughts. No delusions or overvalued ideas were obtained. His attention was aroused, concentration sustained memory was

adequate. Judgment was intact and insight was present.

101. On psychological assessment, his cognitive function was assessed and found to be intact with no significant deficits. MCMI-3 was administered to assess his personality pattern and clinical syndromes. The analysis of validity scales suggested that the profile of the person is valid, not placed himself in a favourable and personally appealing manner and there is an inclination to devalue himself by presenting more troublesome emotional and personal difficulties. In such cases, there is a chance for exaggerating the symptoms for many of the scales associated with severe psychopathology. That has been evident in the profile of the accused. His personality pattern is consistent with a dependent style.

102. The next test conducted was RORSCHACH inkblot test. The said test did not reveal any unusual verbalisation, incongruent or fantastical responses or inappropriate logic. There were no significant findings in the special indices including suicide potential, perceptual thinking, depression, coping deficits, hyper vigilance or obsessive tendencies. The responses show abstract content and personalised answers with signs of situational stress. That did not appear to significantly affect his cognitive ideations. There was a tendency towards an avoidant and

introverted response style, with situational defensiveness observed in some response. Despite the presence of situational stress, the accused demonstrated sufficient resources to initiate and direct behaviour in a meaningful way. However, in complex or ambiguous situations, there is a risk that the demands of the situation could exceed his capacity for effective control. His psychological functioning appears to be more complex, potentially linked to his childhood experiences, including parental conflicts and separation. His early life stressors seemed to have influenced his cautious approach for information processing and interpersonal relationships. While his cognitive functions remain intact, the accused tends to process information carefully which may reflect in a heightened sensitivity to potential stressors. The reality testing of the accused remained intact and he possessed the basic cognitive tools necessary for conventional reality testing.

103. The following are the conclusions :-

The Board concluded that the accused does not reveal significant signs of psychopathology or impairment of reality contacts. While the psychological functioning of the accused is complex particularly experience in the context of his early life experience and current stressors, there is no indication of severe mental disorder at the time of evaluation.

He understands the magnitude and the consequence of his actions.

104. PW65 further stated that he did not notice any difference in the mental status of the accused during the second examination after the formation of the Medical Board, as compared to the examination on 13.05.2023.

105. PW66 was working as Scientific Officer (Biology) at the State Forensic Science Laboratory, Thiruvananthapuram. She stated that on 06.08.2023, she received 33 sealed packets for examination in this case. The purposes of examination were serological examination and DNA profiling. PW66 conducted examination and issued Ext.P105 report which contains the results of examination.

106. PW67 was Sub Inspector of Police, Kottarakkara. He stated that on 10.05.2023 at 07.15 a.m. he recorded Ext.P1 first information statement lodged by PW1. Thereafter, he registered the case as per Ext.P106 FIR. PW67 explained that the time of recording of statement was stated as 08:15 hours due to mistake. He further stated that the first information statement was recorded at the side of road at a place known as lower Karikkakom and the place of recording of statement was noted as Taluk Head Quarters Hospital, Kottarakkara, since it appeared that

recording of first information statement at road side was inappropriate and since the occurrence took place at the Taluk Head Quarters Hospital, Kottarakkara.

107. PW68 was Station House Officer of Kottarakkara Police Station. He stated that he took over the investigation in the case on 10.05.2023. He got information at 09.53 a.m on the said date that Dr.Vandana Das died at 08.25 a.m. Thereupon, Ext.P107 report was filed to incorporate Sec. 302 of IPC. Ext.P108 order was issued authorising Station House Officer of Chadayamangalam Police Station to conduct inquest on the dead body of the deceased. PW68 visited the scene of crime and prepared Ext.P37 scene mahazar and produced the same before court as per Ext.P109 report. A plastic chair was seen broken at the waiting area of the hospital and a surgical scissors containing blood stains at the portion of the blade was seen near the main entrance of the waiting area. MO1, MO6, MO7 and MO8 were seized and were produced before court. MO23 piece of broken chair was seized. The properties were produced before court as per Ext.P110 and Ext.P112 property lists. MO4 and MO5 were seized. Ext.P117 report was filed deleting and adding penal provisions. The accused who had been brought from the Taluk Hospital, Kottarakkara and who had been retained at the Kottarakkara Police Station was arrested

at 12:57 hours. Ext.P118 to Ext.P121 are the records of arrest. MO11 mobile phone was seized from the possession of the accused. Ext.P123 report was filed stating the address of the accused. PW68 seized relevant records as per different mahazars and produced the same before the court. He filed report stating that the doctors did not cooperate to collect blood sample of the accused. Thereupon, the blood sample of the accused was collected at the KIMS Hospital as per court order and the sample was seized as per Ext.P45 mahazar. PW68 questioned the witnesses and recorded their statements. The witnesses identified the accused and weapon. Thereafter, the investigation was taken over by a Special Squad constituted by the District Police Chief in which PW68 was also a member. Ext.P130 certificate was filed stating that PW4 was working at a police station and was on duty. PW68 filed Ext.P132 affidavit stating that the doctors did not cooperate to collect the blood sample of the accused.

108. PW69 was Deputy Superintendent of Police, Kollam Rural District Crime Branch. He stated that he took over the investigation in the case on 11.05.2023 as per Ext.P133 order passed by the Kollam Rural District Police Chief. Ext.P134 is the order by which the investigation was handed over to PW69. PW69 stated that he seized the CCTV monitor, DVR and connected equipments from the Taluk Hospital, Kottarakkara

with the assistance of PW70 who was working at Kollam Rural Cyber Cell. The properties were seized as per Ext.P38 mahazar. The CCTV was found to be functional. Though the actual date and time were 12.05.2023 17:30:29 hours, the same was displayed in the CCTV as 23.04.2023 05 hours 6 minutes. Ext.P137 series hash value reports were produced before court. The hard disk and pen drives were produced before court as per Ext.P138 property list. The gallery of the mobile phone seized from the accused was inspected. 182 photographs and 65 videos were seen. The last three video files were of the date 10th May and depicted a person sitting on the dressing table in the procedure room of the Taluk Hospital, Kottarakkara and PW1 cleaning the leg of the accused and Dr. Vandana Das standing nearby. It was seen that the said video was circulated by the accused in WhatsApp groups. PW70 issued Ext.P141 report after inspecting the CCTV visuals. The blood sample of the accused was forwarded to the Chemical Laboratory at Thiruvananthapuram for analysis. The dresses worn by the victims were seized and were produced before court as per property lists.

109. When the accused was questioned under police custody and about the injury sustained by him, the accused stated that he sustained the injury, when he jumped into the house of one Sreekumar. As pointed out

by the accused, scene mahazar was prepared with regard to the said place on 18.05.2023 at 14:50 hours. The said mahazar is Ext.P39. The accused was produced before Medical Board to assess the mental and physical status of the accused. Ext.P86 is the report issued in the said regard. Subsequently, the accused was produced before another Medical Board and Ext.P87 report was received regarding the examination. Subsequently, as per the order of the Hon'ble Supreme Court, Mental Health Evaluation Report of the accused was obtained. Ext.P103 is certified copy of the said report. The urine sample of the accused was collected as per the order of the court and was forwarded to the chemical laboratory for analysis. PW69 seized the treatment records of Dr. Vandana Das and produced the same before court. The attendance registers of officials of the hospital and interns were obtained and produced before the court. The photographs of the accused and witnesses were taken by police photographer and the said photographs were produced before court. The photographs of Dr. Vandana Das were obtained and produced before Court. The other relevant documents prepared in the course of investigation were marked through PW69. He questioned the witnesses and recorded their statements. He laid the charge sheet after the completion of investigation.

110. PW70 was working as Civil Police Officer attached to Kollam Rural Cyber Cell. He stated that on 12.05.2023, he inspected the CCTV visuals at the Taluk Hospital, Kottarakkara and issued Ext.P141 report. He seized the hard disk. He prepared and issued Ext.P137 series hash value reports. He further stated that it was in his presence that the mobile phone of the accused was inspected on 14.05.2023 at 11:40 hours.

111. DW1 was examined from the side of the accused is one Sreekumar C.G who was cited as a witness for the prosecution and who was not examined by the prosecution. The evidence of DW1 is as follows:-

During 2023, DW1 was the Headmaster of Nettayam Government Primary School. On 10.05.2023 at about 02.30 a.m. DW1 woke up upon hearing the cries of the accused. The accused was standing at the work area of the house of DW1 and asked to open the door by addressing as Dineshan. The accused telephoned one Sreekumar. Sreekumar along with PW13 reached the house of DW1. The accused said that he had witnessed commission of a murder and some persons were coming to murder the accused and the said persons were in the surrounding area. The leg of the accused was wounded and he was making telephone call. The accused said that he wanted police protection and he telephoned the police. The accused

told the police that he was sitting at the house of Dineshan and the police could look for the house of auto driver Dineshan and the accused was standing the back of the house of Dineshan. DW1 said that the accused was standing at the house of DW1. The accused replied that DW1 was Dineshan and PW13 was Balakrishnan and Sreekumar was Ajith Kumar. The accused addressed DW1 and the two others in the said names. PW2 Binu reached the place and insisted that the accused was to go his house. The accused said that he would leave only after the arrival of the police and others were talking by taking side with those who were coming to murder the accused. In the meantime, the police arrived. The police asked to call the relatives of the accused and it was thereupon that Rajendran Pillai (PW13) was called. The accused reached the front side by carrying a stick and told the police about people coming to murder him and asked to take the accused to the police station. The police suggested that the accused could be taken to the hospital in ambulance. The accused insisted that he would come by police jeep only. Finally, the accused got into the jeep by carrying stick. A policeman by stating that stick could not be carried held the stick and placed it away. The accused got down from the jeep. Thereafter, PW2 and PW13 along with the accused got into the jeep and went to hospital.

112. DW2 is the Superintendent of the Central Prison, Thiruvananthapuram. He produced the book retained at the prison which contains entries regarding treatment given to prisoners at Jail Hospital and Medical College Hospital. The said book was marked as Ext.D5. The book contains entries regarding medicines prescribed to the accused. Apart from that, prescriptions maintained at the prison which contain the prescriptions relating to the accused were marked as Ext.D6.

113. After Ext.D5 and Ext.D6 were admitted in evidence, PW53 was recalled and was further examined with regard to the said medical records.

114. DW3 is another witness who was cited by the prosecution and who was given up by the prosecution. DW3 gave evidence as follows:-

DW3 is a teacher at Nedumpana Upper Primary School. The accused began to work as teacher at the said school from 2021 onwards. On 09.05.2023 at about 11 a.m, the accused reached the house of DW3. The accused was found to be in a mentally disturbed condition. The accused said that the illness of his mother got aggravated and he could not talk at the house and DW3 was to come out and asked DW3 to come with his motorbike. When DW3 reached the road, he stopped the motorbike for

a minute upon the arrival of a person. The accused walked away briskly. DW3 followed the accused and enquired about the matter. The accused got into the motorbike and reached near the property of the accused. The accused at that point got down from the motorbike and sat near a tree and cried. When enquired about the matter, the accused said that his mother was having life for two days and the accused would not live, in case the mother died. The accused said that somebody was coming to murder him. The accused behaved as if he was not having confidence in DW3. DW3 telephoned an uncle of the accused named Soman. Soman talked with the accused through telephone. The accused talked indecently with Soman. The accused reached a state of throwing away the phone. Thereafter, he ran away through a bushy area. When Soman telephoned and asked as to whether the accused was standing at paddy field, the accused said that everybody was trying to search his location and to catch him and to kill him. The accused ran away by declaring his decision that he would kill those persons who were trying to kill him.

115. Ext.D1 to Ext.D4 also constitute the documentary evidence of the accused. Ext.D1 is contradictory portion of Sec. 161 statement of PW17. Ext.D2 is portion of CCTV visual marked as Ext.P5(an). Ext.D3 is contradictory portion of Sec. 161 statement of PW65. Ext.D4 which was

marked through PW69 is a pen drive produced from the side of the prosecution and containing a voice clip of the accused.

116. After having discussed the oral and documentary evidence adduced by both sides, I proceed to analyse the relevant facts forming the factual background which led to the occurrence. PW1 and Dr. Vandana Das completed their MBBS courses and were working as House Surgeons. On the date of occurrence, both of them were working as interns at the Taluk Hospital, Kottarakkara. Both of them were on night duty at the Casualty Section of the hospital. The above facts are brought out by the oral and documentary evidence adduced by the prosecution.

117. It was during the early morning hours of 10.05.2023 that the police party attached to Pooyappally Police Station and led by PW11 brought the accused to the Taluk Hospital, Kottarakkara. The police party intervened after the Police Control Room received telephone calls from the accused in which police assistance was sought for. PW11 also had telephonic conversations with the accused. The police party happened to reach the house of DW1. What is shown is that the accused gained entry to the said house and it was from there that the accused made telephone calls to the police. The police party found the accused in a wounded condition.

The accused was initially reluctant to go to hospital. However, the police party finally prevailed upon the accused and he was made to go to hospital along with PW2 and PW13. It was the above sequence of events that led to the arrival of the accused at the Taluk Hospital, Kottarakkara during early morning hours of 10.05.2023 along with police officials, PW2 and PW13.

118. The subsequent turn of events is brought out by the oral evidence of PW1 to PW11 and PW13. The accused was brought to the casualty room of the hospital. He underwent cleaning of wound in the procedure room. It was thereafter that a series of offensive acts of violence and assault erupted. The victims included Dr. Vandana Das who died in the incident. At this stage, I propose to analyse the items of oral and medical evidence connecting each of the victims in order to decide whether the occurrence as described by the prosecution is proved to have happened.

119. With regard to Dr. Vandana Das, it is the evidence of PW1 that is most crucial. PW1 was working as intern along with Dr. Vandana Das. He was present along with Dr. Vandana Das during the course of the occurrence. PW1 gave trustworthy evidence to the effect that the accused repeatedly stabbed Dr. Vandana Das by using MO1 scissors. The overt acts

committed by the accused against Dr. Vandana Das and as witnessed by PW1 were explained in detail by PW1. It is brought out that it was PW1 who saved Dr. Vandana Das from the clutches of the accused and brought her outside and thereafter took her to the hospital.

120. Ext.P1 first information statement lodged by PW1 contains rather brief description of the occurrence. PW1 has offered reasonable explanation for the same. He explained during chief examination that he could not give a detailed statement at the time of Ext.P1, since he was mentally disturbed. PW1 is a witness who happened to witness the gruesome death of Dr. Vandana Das. It was only natural that he was initially mentally disturbed and he could give only a brief description of the occurrence at the initial stage. I accept his explanation as genuine.

121. The oral evidence of PW5 and PW6 corroborate the evidence of PW1 with regard to the accused committing acts of assault against Dr. Vandana Das. PW5 gave evidence to the effect that he sought refuge in the changing room and when he looked out after sometime, Dr. Vandana Das was seen sitting on the floor and the accused who was sitting at the back was stabbing on the neck and shoulder of Dr. Vandana Das. PW6 gave evidence to the effect that when she reached near the room of

Dr. Pournami, she saw Dr. Vandana Das standing at the door of the observation room and though PW6 warned Dr. Vandana Das to move away, the accused in the meantime stabbed on the head and neck of Dr. Vandana Das.

122. Item no. 9 examined in connection with Ext.P104 is the T-shirt of the accused. It is certified that few black hairs found on the T-shirt belong to Dr. Vandana Das and the accused. Item no.14 is the churidar pants worn by Dr. Vandana Das. It is certified that the blood stains contained on the said dress belong to Dr. Vandana Das and the accused. Item no. 1 is a metallic surgical curved scissors (MO1). It is certified that item no. 1 contains blood of Dr. Vandana Das. The above items of scientific evidence corroborate the oral evidence of PW1, 5 and 6 to the effect that the accused stabbed Dr. Vandana Das by using MO1.

123. It has come out in evidence that MO1 was originally a single piece instrument and it presently consists of 2 pieces. Ext.P104 contains explanation for the same. It is specifically recorded in page no. 16 under the heading "Note" that MO1 was dismantled for the purpose of detailed examination.

124. It is clear that trustworthy and clinching oral evidence is forthcoming to prove that the accused stabbed Dr. Vandana Das by using MO1 scissors. The oral evidence of PW1, PW5 and PW6 in the above regard are reliable, trustworthy and are free from any blemish.

125. Ext.P93 report of postmortem examination which was proved through PW56 brings out that extensive ante-mortem injuries were sustained by Dr. Vandana Das. She sustained 26 ante-mortem injuries including incised wounds and incised punctured wounds. The nature of injuries and the situs of injuries which were sustained by the deceased are in tune with the narration of the occurrence by PW1, PW5 and PW6.

126. Thus, there is trustworthy and clinching oral evidence coupled with medical evidence which prove that the acts which led to the death of Dr. Vandana Das were committed by the accused. The opinion of PW56 to the effect that the cause of death was due to penetrating injuries sustained to the chest has to be accepted as the opinion of an expert in the field and as an item of expert evidence. It is proved beyond doubt that the injuries inflicted by the accused on the body of Dr. Vandana Das resulted in her death.

127. Similar conclusions have to be drawn with regard to the offensive acts of violence committed against the other victims also. What I find is that the witnesses gave evidence with regard to those acts of assault and violence committed by the accused and which were witnessed by them. PW1 gave evidence with regard to the acts of assault committed against PW1, PW3, PW5 and PW11. PW2 explained the acts of assault committed against himself and against PW3 and with regard to scuffle involving the accused, PW10 and PW11. PW4 gave evidence with regard to acts of assault committed against himself. PW5 gave evidence with regard to the accused stabbing himself and PW3. PW6 gave evidence with regard to the accused committing acts of assault against PW2, PW3, PW4 and PW11. PW7 gave evidence with regard to scuffle between the accused and PW3 and the accused stabbing PW3, PW4 and PW5. The evidence of PW8 is with regard to the accused stabbing PW3, PW4 and PW11. According to PW9, she witnessed the accused hitting PW2 and PW3. PW10 gave evidence to the effect that he witnessed the accused stabbing PW2, PW3 and attacking PW11. He also gave evidence with regard to the accused stabbing PW3, PW5 and PW11. PW13 gave evidence with regard to he being kicked by the accused within the procedure room.

128. The evidence of the occurrence witnesses with regard to the different stages of occurrence and as witnessed by them appear to me as reliable and trustworthy. The accused was a total stranger to the above witnesses. There was no previous acquaintance between the accused on the one hand and the witnesses on the other hand. There was absolutely no reason for the above witnesses to give false evidence against the accused in a case of the present nature.

129. Among the occurrence witnesses, the evidence of the injured witnesses stand on a higher pedestal as held by the Hon'ble Supreme Court in ***Periyasamy v. State (2024 (1) KLD 532)***.

130. The medical evidence corroborates the evidence of the occurrence witnesses to a large extent. I have already discussed the evidence relating to the injuries sustained by Dr. Vandana Das. Ext.P30 relates to PW4. It is recorded that there was a lacerated wound on the side of forehead. Ext.P31 which relates to PW2 states that there was a sutured wound on the right side of neck and wound on the left infra-axillary region. Ext.P32 which relates to PW3 shows that the patient sustained fractured skull at the parietal region. Ext.P73 which relates to PW2 states that the patient was having a penetrating injury on the right side of neck and left

side of chest. Ext.P74 which relates to PW3 states that there were six stab wounds over the head and a linear abrasion over the nape of neck. Ext.P75 which relates to PW4 refers to curvy linear laceration on the left side of scalp.

131. The use of MO1 scissors by the accused in the commission of the acts stands proved by the trustworthy oral evidence of the occurrence witnesses and the scientific evidence. It is further proved that MO1 was an instrument that belonged to the hospital and was under user at the hospital and the accused clandestinely managed to obtain possession of the instrument from the procedure room and used the same in committing the acts.

132. The learned counsel for the accused contended that MO1 was an object kept in the open and the accused could not have stealthily removed the same and an object of such size could not have been concealed by the accused in his hand. The above contentions cannot be accepted. MO1 is proved to be the property of the hospital. The accused could have obtained possession of the same, only by removing the same without the notice of the hospital officials. Further, the trustworthy oral evidence of the occurrence witnesses prove that the accused could conceal

the same in his hand. I accept the prosecution case in the above regard as proved beyond doubt.

133. The visuals from the CCTV cameras installed at the hospital were got retrieved by the Investigating Agency and were copied into pen drive by PW12. The procedure followed by her was explained by her. The entire CCTV visuals which were admitted in evidence were played in open court and were marked through PW12. The relevant visuals were displayed before the witnesses. The witnesses identified themselves and others in the CCTV visuals concerning them. The visuals bring out the entry of the accused into the hospital along with police officers and bystanders and subsequent movements within the hospital and limited portions of the acts of assault and violence unleashed by the accused and the subsequent exit of PW1, Dr. Vandana Das and others from the hospital. The genuineness of the visuals was proved through PW12.

134. Further, this is a case where the entire occurrence including the unleashing of violence by the accused against the victims stands proved through the trustworthy oral evidence of the occurrence witnesses. In the said situation, the CCTV visuals have only limited corroborative value.

135. I am satisfied from the evidence on record that the prosecution case with regard to the accused unleashing acts of violence against the victims and the death of Dr. Vandana Das as a result of his attacks and the other injured witnesses sustaining grievous hurt and hurt in the occurrence stands proved beyond doubt.

136. The evidence on record further prove that the accused committed acts by which violence was unleashed against health personnel on duty at the hospital.

137. It is further proved that the acts of assault committed by the accused led to the public officials among the victims, who were on duty, being deterred and obstructed from discharging their official duties.

138. The prosecution case with regard to the accused cleaning MO1 after the commission of the acts and thereby causing disappearance of evidence relating to commission of the acts gets support from the evidence of PW5. He gave evidence to the effect that he had witnessed the accused washing MO1 in the tap attached to the water filter that was installed at the scene of crime. The said part of the prosecution case has been challenged by the accused by contending that the case regarding presence of water filter was subsequently introduced by the prosecution to create false

evidence. However, I do not find any reason to disbelieve the evidence of PW5 with regard to the above act of the accused . Therefore, I accept the said part of the prosecution case also. The accused is proved to have committed the act forming the base for charge u/s. 201 of IPC.

139. In the light of the above discussion, I hold that the prosecution succeeded in proving the occurrence as described in the final report and the prosecution succeeded in proving that the accused committed the acts constituting the base for the offences of which the accused has been charged with.

Points 1 to 7 are answered in favour of the prosecution.

140. **Point no. 8:-** The prime defence of the accused is that he was suffering from insanity at the time of the occurrence. The accused claims the protection of Sec. 84 of IPC. They said contentions were resisted by the learned Special Public Prosecutor who contended that the accused was fully sane at the time of the crime and he cannot take shelter behind Sec. 84 of IPC.

141. Sec. 84 of IPC provides that nothing is an offence which is done by a person who at the time of doing it by reason of unsoundness of mind is incapable of knowing the nature of the act or that he is doing what

is either wrong or contrary to law. The accused contends that at the time of occurrence, he was having insanity and he was not in a position to understand the nature of acts that were committed by him.

142. The burden to prove that the case comes within the general exception carved out by Sec. 84 of IPC is upon the accused. Sec. 105 of the Indian Evidence Act which is the law applicable provides that when a person is accused of any offence, the burden of proving the existence of circumstances bringing the case within any of the general exceptions in the Indian Penal Code is upon the accused and the court shall presume the absence of such circumstances. However, it is settled through judicial pronouncements that the accused need to discharge the burden cast upon him in this regard only on the yardstick of preponderance of probability.

143. The learned Public Prosecutor relied upon the following decisions :-

In ***Premachandran v. State of Kerala (2023 ICO 2340)***, the Hon'ble High Court of Kerala dealt with the scope of Sec. 84 of IPC. In ***Riyas v. State of Kerala (2024 ICO 1959)***, the Hon'ble High Court of Kerala held that no motive was proved for the accused to commit the crime or the accused did not make any attempt to run away will not indicate that

the accused was insane. In ***Vijayamma v. State of Kerala (2024 ICO 1948)***, the Hon'ble High Court of Kerala by relying upon the decisions of the Hon'ble Supreme Court dealt with the burden of proof in the context of Sec. 84 of IPC. In ***Hari Singh Gond v. State of Madhya Pradesh (2008 ICO 6762)***, the Hon'ble Supreme Court dealt with the scope of Sec. 84 of IPC and held that the benefit of Sec. 84 of IPC will be available, only after it is proved that at the time of committing the act, the accused was labouring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing, or that even if he did not know it, it was either wrong or contrary to the law. In ***Surendra Mishra v. State of Jharkhand (2011 (1) KLJ 412)***, the Hon'ble Supreme Court held that an accused who claims the benefit of Sec. 84 of IPC is to prove legal insanity and not medical insanity at the time of commission of the offences. In ***Bapu @ Gujraj Singh v. State of Rajasthan (2007 (4) KLT 63)***, the Hon'ble Supreme Court in the context of Sec. 84 of IPC held that distinction has to be drawn between legal insanity and medical insanity. In ***Chunni Bai v. State of Chhattisgarh (2025 ICO 836)***, the Hon'ble Supreme Court dealt with the scope of unsoundness of mind within the ambit of Sec. 84 of IPC.

144. On the other hand, the learned counsel for the accused relied upon the following decisions :-

In ***Reji Thomas @ Vayalar v. State of Kerala (2023 KHC OnLine 556)***, the Hon'ble High Court of Kerala dealt with the scope of Sec. 84 of IPC and held that distinction has to be made between legal insanity and medical insanity. In ***State of M.P v. Ahmadulla (AIR 1961 SC 998)***, the Hon'ble Supreme Court held that where previous insanity is proved or admitted, some considerations must be borne in mind. The said considerations include as to whether there was deliberation and preparation for the act and whether it was done in a manner which showed a desire to concealment and whether the offender after the crime made efforts to avoid detection. In ***Dahyabhai Chhaganbhai Thakkar v. State of Gujarat (AIR 1964 SC 1563)***, the Hon'ble Supreme Court held that if the Judge has a reasonable doubt as to whether the accused had the requisite intention laid down in Sec. 299 of IPC, he must acquit the accused. In ***T. N. Lakshmaiah v. State of Karnataka (AIR 2001 SC 3828)***, the Hon'ble Supreme Court held that it will be sufficient for an accused to bring his case within the ambit of any of the general exceptions by the standard preponderance of probabilities. In ***Sheralli Wali Mohammed v. State of Maharashtra (AIR 1972 SC 2443)***, the Hon'ble Supreme Court held that

behaviour, antecedent, attendant and subsequent to the event may be relevant in finding the mental condition of the accused at the time of the event, but not that remote in time. In addition, reliance was also placed upon *Hari Singh Gond v. State of Madhya Pradesh* referred to above.

145. After carefully going through the evidence adduced by both sides, what I find is that the accused is shown to be a man who was leading a perfectly normal life. He is married and he is wedded to PW18. The matrimonial relationship is ruptured. However, what is indicated is that the accused was leading a matrimonial life with PW18, till she left the matrimonial home on 10.12.2018. PW18 gave evidence to the effect the accused was alcoholic and he used to come every day after consuming liquor. Her evidence further brings out that even after she left the matrimonial home, the accused occasionally used to visit her and call her and the accused visited her house prior to one week before the occurrence. The oral evidence of PW15 who was the Headmistress of the school brings out that the accused was working as a teacher at the said school and he used to impart classes in Malayalam and Social Science to the students of Standards V and VII and he used to handle classes well and he even used to recite poems to the students. Her evidence further brings out that while she went to a hospital on 07.05.2023 to visit her brother, the accused was

present at the hospital and he was standing as bystander for his mother. The evidence of DW3 who was a fellow teacher of the accused at the school brings out that the accused used to impart lessons in Social Studies and Malayalam at the school and he used to sing and act well. The oral evidence of PW17 brings out that the accused was standing as bystander for his mother at the hospital.

146. The learned counsel for the accused contended that the conduct and behaviour of the accused at the school and at the hospital are not relevant considerations in deciding the plea of insanity. Here, the relevant aspect is that the above items of evidence bring out that the accused was leading a normal personal and professional life.

147. The above aspect assumes significance in the light of the fact that no evidence is forthcoming to prove that the accused underwent any form of treatment for the alleged insanity prior to the occurrence. There is no medical record to show that the accused exhibited any symptom of insanity prior to the occurrence and got treated for the same. In my view, the said aspect is a crucial factor in adjudicating the merit of the plea of insanity.

148. It is by highlighting the events that took place immediately prior to and after the commission of the crime that the accused attempts to consolidate his plea of insanity. I will discuss the said items of evidence one after another.

149. It is the evidence of DW3 that the accused relies upon as the first in point of time in the chronology of events. After going through the evidence of DW3, I do not find any indication supporting the plea of insanity. What is brought out by the evidence of DW3 is that the accused was highly emotional and he was concerned about the illness of his mother and about the prospects of recovery of the mother. In my view, that was only natural. The accused was living separately from his wife. Evidently, he was living along with his mother. It was only natural that he was concerned about the health and illness of his mother. It was also natural that he wanted to discuss his issues with DW3 who was his colleague. In my view, the conduct attributed by DW3 to the accused not only negatives the plea of insanity, but also supports the prosecution case to the effect that the accused was fully oriented. That was why, the accused decided to approach his colleague and to discuss his anxiety about his mother .

150. DW3 at one stage of his chief examination stated that the accused had stated that somebody was going to kill him and the accused behaved as if he was not having confidence in DW3 and the accused ran towards a bushy area at the end of his interaction with DW3. In my view, the above conduct attributed to the accused will only show that the accused was in an agitated state of mind. Apart from that, any element of insanity cannot be inferred from the above conduct attributed to the accused.

151. The second stage in the chronology of events that is highlighted by the accused is with regard to the conduct of the accused in front of the police officials and other witnesses before the accused was removed to the hospital. The learned counsel for the accused placed reliance upon the fact that going by the evidence, the accused after getting down from the police jeep lied down under the police jeep. As pointed out by the learned Special Public Prosecutor, the above conduct of the accused will only indicate that the accused was expressing his protest after the stick carried by him was removed by PW11. The conduct of the accused might have been strange. But, that will not indicate any element of insanity. Significantly, the evidence on record shows that the accused insisted that he would not travel in ambulance and he in particular insisted that he would travel by police jeep alone. It is demonstrated that the accused was

in a position to identify police personnel and police vehicle. He was also particular about the vehicle in which he wanted to travel. He was agitated when the stick carried by him was removed by PW11. The above factors lead to the conclusion that the accused was oriented, although the behaviour might have been strange.

152. In the above context, the apprehension expressed by the accused before PW11, the other police officials and other witnesses with regard to others trying to murder the accused is relevant to be considered. The accused highlights the same as a strong factor, suggesting insanity of the accused. I have carefully analysed the above item of evidence in the background of the other items of evidence relating to the conduct of the accused prior to reaching the hospital. It stands proved that the accused raised an apprehension that others were trying to murder him. The question is whether the said apprehension expressed by the accused can be taken as an indication of insanity. My answer to the said question is in the negative. The circumstances under which the accused happened to raise such an apprehension are facts especially within the knowledge of the accused. The prosecution cannot be expected to explain the said conduct of the accused. While analysing the question whether the said conduct and words of the accused will suggest insanity, the rest of the conduct of the

accused is relevant to be considered. As I have already stated, the accused consciously insisted that he would not go by ambulance and he would go by police jeep alone. The accused was in a position to identify police personnel and police jeep. It is demonstrated by the evidence on record that it was the telephone call made by the accused to the Police Control Room that led to the police party led by PW11 reaching the place where the accused was standing. Thus, it is proved that the accused consciously telephoned Police Control Room and thereby triggered the arrival of the police party to the place. Apart from the conduct and words of the accused by which he expressed apprehension with regard to others trying to murder him, the rest of the conduct of the accused before he reached the hospital shows that the accused was perfectly sound and normal in words and deeds. Therefore, the apprehension expressed by the accused with regard to others trying to murder him by itself cannot prove or probabalise the defence of the accused to the effect that he was insane at the relevant time.

153. It was at the house of DW1 that the accused had positioned himself before others including the police officials arrived. DW1 stated that the accused had addressed DW1 as Dineshan and PW13 as Balakrishnan and Sreekumar as Ajitkumar. Thus, DW1 attempted to give evidence to the effect that the accused wrongly addressed the above three

persons, although the said persons were well known to the accused. The learned counsel for the accused contended that the accused was acting under a bubble of delusion. I find it difficult to accept the said part of the evidence of DW1 in the light of the evidence given by PW2 and PW13. PW2 is a neighbour and PW13 is a relative of the accused. Both of them had no reason to give false evidence against the accused. The evidence of PW2 and PW3 do not give any indication to the effect that the accused made wrong identification of others or addressed others by wrong names. Therefore, the above part of the evidence of DW1 can only be considered as an attempt to save the accused. I arrive at such a conclusion because DW1 is proved to be a neighbour of the accused and a teacher. Thus, both DW1 and the accused were in the same profession. There is the possibility of DW1 giving false evidence to help the accused. Anyhow, it is my opinion that the above part of the evidence of DW1 which stands negatived by the evidence of PW2 and PW13 cannot suggest any possibility of the accused being insane at the relevant time.

154. In the above context, the voice clip of the accused as contained in Ext.D4 pen drive has to be considered. It is brought out that the voice clip related to telephone call made by the accused on 10.05.2023 at 03:43:00 hours to the State Emergency Response Centre. PW69 explained

during cross-examination that the accused in the said telephone call stated that attempt was being made to murder him and he was hiding in a well and in spite of a petition filed earlier, no action was taken and police party was to be sent. The accused attempts to project the said telephone call as an instance of insanity allegedly suffered by the accused. The voice clip was played in the open court. What I could gather from the voice clip is that the telephone call was made by the accused with clarity of thought and mind. I could not find any indication in the telephone call, suggesting that the call was the result of abnormal mind. It is true that the accused stated in the telephone call that there was attempt to murder him and he was hiding in a well. The circumstances under which the accused happened to raise such grievances are facts especially within the knowledge of the accused. When the voice clip is considered in total, the above statements contained in the telephone call cannot in any way suggest insanity of the accused.

155. Ext.P77 petition is relevant to be considered in the above context. It was a petition filed by the accused before Pooyappally Police on 09.05.2023. The cross-examination of PW68 brings out that the accused in the said petition raised a grievance that a quarrel took place among neighbours on account of the accused and people from outside

created strife and fear. The accused demanded in the petition that enquiry was to be made with public and truth of the matter was to be brought out. What is demonstrated is that it was the said petition that the accused referred to in the voice clip contained in Ext.D4. Ext.P77 brings out that on 09.05.2023, the accused consciously approached the police and filed the petition before the police. The said conduct reveals a sound mind and not the mind of an insane person. That is the conclusion to be drawn, irrespective of the nature of the statements contained in the petition.

156. After having discussed the conduct of the accused before reaching the hospital, I propose to analyse his conduct after reaching the hospital. The learned counsel for the accused contended that the accused after reaching the hospital indulged in wanton acts of violence against persons who came in front of the accused and there was no calculated act on the part of the accused and the acts committed by the accused were random and were acts targeting whoever came near him. It is further contended that if the accused had been sane, he would not have indulged in such wanton acts of violence.

157. I have carefully analysed the acts of violence committed by the accused after reaching hospital. Thereupon, what I find is that except in

the case of Dr. Vandana Das, there was a specific pattern in the acts of violence committed by the accused. His first target was PW13. His second target was PW2. Significantly, both PW2 and PW13 were persons who had accompanied the accused in the police jeep to the hospital. Both of them explained that the accused did not like their conduct towards the accused and they accompanying the accused in the jeep to the hospital. When the said explanations of PW2 and PW13 are analysed in the background of the initial acts of violence unleashed by the accused against the said persons, one thing is clear. The accused initially targeted those two individuals who had accompanied him to the hospital. The initial acts of attack are thus shown to be the result of a conscious pattern conceived by a sane mind.

158. The accused is thereafter shown to have targeted PW3, PW5 and the police officials who tried to restrain the accused. All other victims of attack are thus shown to be persons, who had dared to restrain the acts of violence that were being unleashed by the accused. In the case of the said witnesses also, the pattern was clear. The accused unleashed violence against persons who tried to stop or restrain his acts of violence. The said acts are shown to be committed by a fully sane person. The acts are shown to be calculated and not wanton acts of violence.

159. In the above context, it is relevant to notice the fact that even though PW1 tried to save Dr. Vandana Das, the accused did not unleash violence against PW1. Going by the evidence of PW1, he saved Dr. Vandana Das by kicking on the left hand of the accused and as soon as the accused let off Dr. Vandana Das, PW1 brought Dr. Vandana Das to the outside premises through the corridor. It is evident that it was the immediate exit of PW1 along with Dr. Vandana Das from the scene of crime that saved PW1 from possible acts of violence from the accused.

160. Coming to the case of Dr. Vandana Das, it is not clear as to what provoked the accused to commit the gruesome acts of violence against the young doctor. The evidence of PW1 brings out that what he witnessed was the accused stabbing Dr. Vandana Das. It is clear that PW1 did not have the opportunity to witness as to what immediately transpired before the accused attacked Dr. Vandana Das. That is the case with regard to the evidence of PW5 as well.

161. According to PW6, she saw Dr. Vandana Das standing at the door of the observation room and by the time PW6 warned the doctor, the accused stabbed on the head of Dr. Vandana Das and thereafter repeatedly stabbed the doctor. What is shown by the evidence of PW6 is that she also

did not have the opportunity to get first-hand knowledge about the provocation for the accused to attack Dr. Vandana Das.

162. In the above situation, what has to be concluded is that the motive for the accused to attack Dr. Vandana Das is shrouded in mystery. Evidently, it is a fact which is especially within the knowledge of the accused. Further, absence of motive by itself is not a ground to infer that the act was the result of insanity . That is the conclusion to be drawn, when the acts of violence committed against Dr. Vandana Das are analysed in the background of the other acts of violence unleashed by the accused at the hospital.

163. The learned counsel for the accused contended that the accused committed the acts without any motive and the accused even after the commission of the acts did not make any attempt to escape and the said factors are indicative of insanity. The said contentions cannot be accepted. As already found, except in the case of Dr. Vandana Das, the accused committed the acts of violence in a pattern. It is proved by the evidence on record that the accused initially attacked PW2 and PW13 who had accompanied the accused to the hospital. It was thereafter that the accused attacked PW3, PW5 and the police officials who tried to restrain the

accused. It cannot be said that the said acts of violence were committed without any motive. Further, even if it is found that there was no motive for the acts and the accused remained at the place after the commission of the acts, that by itself and without any other supporting factor will not prove or probabalise the plea of insanity. The said aspect is clear from the decision of the Hon'ble High Court Court of Kerala in ***Premachandran v. State of Kerala*** referred to above which has been relied upon by the learned Special Public Prosecutor. The learned counsel for the accused attempted to distinguish the present case on facts. In my view, the present case is squarely covered by the above decision.

164. Dispute has been raised with regard to the prosecution case regarding the accused washing MO1 after the commission of the crime. The learned counsel for the accused contended that the initial prosecution records and the CCTV visuals do not refer to the presence of a water filter and such a case was developed only subsequently. In my view, the relevant items of oral evidence are sufficient to prove that the accused committed the act of washing MO1 at the pipe of the water filter. The contention of the accused to the effect that such a case was fabricated by the prosecution cannot be upheld.

165. The prosecution has relied upon the above act of the accused to contend that the accused was having fully conscious state of mind at the time of commission of the acts and that is indicative from the fact that the accused washed MO1 in order to cause disappearance of commission of the crime. The said arguments are resisted by the learned counsel for the accused by pointing out that even after the alleged act of washing of MO1, blood stain continued to be present on MO1. Here, the question is not whether the accused was able to fully erase blood stains from MO1. The relevant aspect is that he washed MO1 after the commission of the acts. It is evident that the said act was committed in order to cause disappearance of commission of crime. The mere fact that the accused was not fully successful in his attempt and some blood stains continued to be present on MO1 cannot in any way negative the prosecution case in this regard.

166. It has come out in evidence that the accused took visuals of the procedure in the procedure room in his mobile phone and circulated the same in WhatsApp. Group. The said aspect stands proved by the oral evidence of PW25 and PW69. Ext.P5(ap) is the visual which was identified by PW15. PW69 explained the contents of the said visuals. It stands proved that the accused, while at the hospital, used social media and

circulated visuals of himself and health personnel in the hospital. It was certainly an act resulting from a sane mind.

167. It is my firm view that the acts of the accused prior to and after the commission of the crime do not in any way suggest that the acts were the result of insanity or an abnormal mind.

168. Now, I proceed to analyse the impact of the three reports of mental examination of the accused. The first in point of time is Ext.P86. I have already referred to the relevant conclusions of the Medical Board as contained in Ext.P86.

169. Ext.P87 is the second in point of time. I have extracted the relevant conclusions of the Medical Board as contained in Ext.P87 as well.

170. The accused placed reliance upon the statements incorporated in Ext.P87 under the head 'Psychiatry Opinion'. It is recorded that the accused reported that he could hear the voices of his mother speaking to him and this was of varying intensity and frequency. It is further recorded that the accused reported that the voices were heard in clear consciousness and they are not under his voluntary control and he would hear it for bouts of five minutes of an hour, sometimes for five days per month or else

most of the days. The above statements incorporated in Ext.P87 do not have the status of the opinion of the Board. What were recorded were the statements given by the accused before the Board. The Board nowhere concluded that the accused was suffering from unsoundness of mind of any kind.

171. Ext.P87 contains further narrations of the statements given by the accused before the Board. The relevant narrations are incorporated in pages 14 to 18 of the deposition of PW53. In this context, the relevant aspect to be taken note of is that it was after taking into consideration the above statements of the accused as well that the Board concluded about the mental condition of the accused. I have already extracted the conclusions of the Board as contained in Ext.P87.

172. The accused has placed reliance upon the conclusion of the Clinical Psychologist and that of Psychiatry team members / Clinical Psychologist which have been incorporated in Ext.P87. The following is the conclusion of the Clinical Psychologist:

“On the whole psychological evaluation and psychodiagnostic assessment of this patient is indicative of a psychotic profile with predominant psychopathic features and alcohol use disorder.”

The following is the conclusion of Psychiatry team members and Clinical Psychologist:-

“After evaluation of the available history, mental status examination, assessment of cognitive functions and physical examination, we arrived at the opinion that Mr. Sandeep is suffering from :

- *Unspecified schizophrenia spectrum and other psychotic disorder*
- *Alcohol use disorder – severe, in a controlled environment*
- *Antisocial personality disorder”*

173. In my view, the above conclusions of the specialists as contained in Ext.P87 will not prove or probalilise the plea of insanity of the accused. I am guided by two reasons to arrive at such a conclusion. Firstly, it is the conclusion of the Medical Board that will prevail upon the conclusions of various specialists who constituted the Medical Board. The conclusions of different specialist cannot eclipse the overall conclusions of the Medical Board which were formed after evaluating the conclusions of the experts who constituted the Board. Secondly, even going by the conclusions of the Clinical Psychologists and Psychiatry team members, there is no indication to the effect that the accused was suffering from unsoundness of mind and the accused by reason of unsoundness of mind

was incapable of knowing the nature of the act or that he was doing what was either wrong or contrary to law.

174. The last report in point of time is Ext.P103. The Medical Board was constituted as per the direction of the Hon'ble Supreme Court after the accused moved before the Hon'ble Supreme Court for bail. The Board concluded as follows:-

“The board concluded that he does not reveal significant signs of psychopathology or impairment in reality contact. While Sandeep’s psychological functioning is complex, particularly in the context of his early life experiences and current stressors, there is no indication of severe mental disorder at the time of evaluation. He understands the magnitude and consequence of his actions.”

Thus, as per Ext.P103, the accused is fit to stand trial.

175. Ext.P86, Ext.P87 and Ext.P103 prove that the accused was not suffering from such unsoundness of mind which might have prevented him from knowing the nature of the act or what he was doing was either wrong or contrary to law.

176. What is brought out by the evidence on record is that the accused was not having unsoundness of mind before the commission of the crime. Even now, he is not shown to be having unsoundness of mind.

There is no satisfactory evidence to prove that during the time of commission of the crime, the accused was suffering from any element of unsoundness of mind as claimed by him. In the said context, the absence of unsoundness of mind before and after the commission of the crime are crucial factors negating the plea of insanity of the accused. Nothing has come out in evidence to show that the accused would have been prevented from any special reason to know the nature of the acts that were committed by him.

177. PW53 during re-examination explained the medicines that were prescribed to the accused and as recorded in Ext.D6. The medicine Risperidone is not given for Schizophrenia and is a general medicine given for person suffering from anxiety upto psychosis. The medicine Lorazepam 1mg is usually given for lack of sleep or anxiety. The medicine Thiamine is usually given to persons who excessively consume alcohol and in order to prevent deficiency of the vitamin named Thiamine. The medicine Pantoprazole is given for acidity and gas. The medicine Lyser D is given for reducing swelling and body pain. The last medicine is Paracetamol 500mg. The evidence of PW53 brings out that the accused was not treated for any grave mental illness during the relevant period.

178. The learned counsel for the accused contended that the case attracted wide public attention and the State administration was determined to implicate the accused in the case and the prosecution shut down relevant items of evidence that would have come in favour of the accused. It is further contended that the doctor community who got aggrieved by the incident furnished false reports against the accused. I do not find any merit in the said contentions. I do not find anything in the evidence suggesting that any material evidence was shut down by the prosecution. Adducing evidence on behalf of the prosecution is within the discretion and wisdom of the Public Prosecutor. I also do not find any reason to feel suspicious about the correctness and authenticity of different medical reports. I reject the contrary contentions of the accused.

179. To sum up, this is a case where there is no medical evidence to prove that the accused underwent treatment for any mental illness prior to the commission of the crime. The reports of examination of the accused by the respective Medical Boards do not support the plea of insanity of the accused. Even now, the accused is fit to stand trial. The conduct of the accused prior to and after the commission of the crime and during the commission of the crime clearly show that the acts of the accused were

calculated and the accused was in a position to understand the nature of the acts that were committed by him.

180. In *Ashraf v. State of Kerala (2018 (2) KLJ 290)*, the Hon'ble High Court of Kerala held that there should be total deprivation of mental ability to understand the consequence of act of accused at the time of commission of the crime and that alone will bring the matter within the sweep of Sec. 84 of IPC and a mere suspicion as to the existence of some mental ailment or abnormality alone will not be sufficient to satisfy the requirements of Sec. 84 of IPC. Here, it is my definite view that the evidence on record is not sufficient to establish, even by the yardstick of preponderance of probability, that there was total deprivation of such mental ability of the accused.

181. In *Prakash Nayi @ Sen v. State of Goa (2023 (1) Supreme 405)*, the Hon'ble Supreme Court in the context of Sec. 84 of IPC held that mere medical insanity cannot be said to be unsoundness of mind and test is one of legal insanity to attract the mandate of Sec. 84 of IPC. Here, a careful analysis of the evidence on record leads me to the conclusion that the accused failed to establish that he by reason of unsoundness of mind

was incapable of knowing the nature of the act and that what he was doing was either wrong or contrary to law.

182. In *Saji v. State of Kerala (2017 (3) KHC 262)*, the Hon'ble High Court of Kerala held that the mental condition of the accused as on the date of incident is the relevant factor u/s. 84 of IPC and when it has come out in evidence that the accused was leading a normal life and his subsequent behaviour at the time when the crime was committed made it to appear that he was very much conscious and aware of his acts and deeds, it cannot be said that the accused was insane at the time when the act was committed. Here, the evidence on record prove that the accused was leading a perfectly normal life. There is no satisfactory evidence to prove that at the time of commission of the crime, the accused was a person of unsound mind.

183. I refer to the decision of the Hon'ble High Court of Kerala in *Raju @ Undachi Raju v. State of Kerala (2024 (7) KHC 441)*. Therein, it was held that every man is presumed to be sane and to possess a sufficient degree of reason to be responsible for his act, unless the contrary is proved. The said decision applies in the facts of the present case. In the

absence of any satisfactory evidence to the contrary, the accused has to be presumed to be a sane person.

184. In the light of the above discussion, I hold that the accused failed to prove that the case comes within the general exception carved out by Sec. 84 of IPC.

Point no. 8 is answered against the accused.

185. **Point no. 9:-** The accused faces charge u/s. 302 of IPC for having committed murder of Dr. Vandana Das.

186. I have already found that the accused committed the acts by which the death of Dr. Vandana Das was caused. I have further found that the accused is not entitled to the protection of Sec. 84 of IPC.

187. I have considered the question as to whether the accused is proved to have committed culpable homicide amounting to murder of Dr. Vandana Das. In this context, I take into consideration the nature of the acts proved to have been committed. It stands established by the oral evidence that the accused wrongfully restrained Dr. Vandana Das and repeatedly stabbed on her body by using MO1. What is shown is that the acts of assault were committed and grave injuries were inflicted with the

intention of committing murder. The said aspect is clear from the nature of the injuries, the number of injuries and the situs of injuries.

188. The learned counsel for the accused contended that the accused did not have any intention to commit murder of Dr. Vandana Das. That was the stand taken by the accused in the statement filed by him at the stage of questioning u/s. 313 of Cr.PC. The learned counsel for the accused contended that even if the allegation of commission of culpable homicide is found acceptable, it is only the offence u/s. 304 of IPC that has been brought out.

189. The above contentions cannot be upheld. What is shown is that the accused repeatedly stabbed the victim on her vital parts by using MO1. Grave and extensive injuries were caused. The above relevant factors lead to the irresistible conclusion that the accused committed the acts with the intention to commit murder.

190. The opinion of PW56 with regard to the cause of death has to be upheld as the opinion of an expert in the field. The said opinion evidence consolidates the prosecution case.

191. During the initial stages of cross-examination of the prosecution witnesses, the accused attempted to develop a defence to the effect that had the police officials intervened at the right time, the life of Dr. Vandana Das could have been saved. In my view, the said aspect has no relevance in deciding the question whether the accused committed homicide of Dr. Vandana Das.

192. Yet another defence attempted to be projected by the accused during the initial stages of cross-examination of the prosecution witnesses was that had Dr. Vandana Das been taken to a nearby higher facility hospital, her death could have been averted. The said contention deserves rejection only, in the light of Explanation 2 to Sec. 299 of IPC. Explanation 2 provides that where death is caused by bodily injury, the person who caused such bodily injury shall be deemed to have caused the death, although by resorting to proper remedies and skillful treatment, the death might have been prevented.

193. I am satisfied from the evidence on record that the accused committed culpable homicide of Dr. Vandana Das with the intention of causing death. The case is covered by clause firstly of Sec. 300 of IPC.

194. In the light of the above discussion, I hold that the prosecution succeeded in proving that the accused committed murder of Dr. Vandana Das and thereby committed offence punishable u/s. 302 of IPC.

Point no. 9 is answered in favour of the prosecution.

195. **Point no. 10:-** The prosecution alleges that the accused voluntarily caused grievous hurt to PW2 to PW5 by means of dangerous weapon of offence and attempted to commit murder of the said offences.

196. In the case of PW3, Ext.P32 prove that he sustained grievous hurt in the form of fracture skull at the parietal region.

197. I have already referred to the nature of the offensive acts of assault committed by the accused against PW3. It is proved that the accused repeatedly stabbed PW3 by using MO1 and inflicted grievous hurt. The nature of the acts, the injury caused and the weapon used lead to the conclusion that the attempt of the accused was to commit culpable homicide amounting to murder of PW3. Therefore, the charge u/s. 326 and 307 of IPC has to be upheld in the case of PW3.

198. In case of PW2 and PW4, the medical evidence prove that the said witnesses sustained hurt in the occurrence. Hurt is proved to have been inflicted by using MO1 which is a dangerous weapon of offence.

199. However, the nature of offensive acts committed against PW2 and PW4 do not prove beyond doubt that the accused attempted to commit murder of the said witnesses. It is not the injury alone that leads me to such a conclusion. The overall acts of assault committed by the accused against the said witnesses lead me to such a conclusion. What is proved to have been committed by the accused against the said witnesses is offence punishable u/s. 324 of IPC alone.

200. In the case of PW5, there is no medical evidence to prove that he sustained injuries. However, his trustworthy oral evidence prove that the accused stabbed him and he sustained bleeding. At the same time, the nature of the offensive acts against the said witness does not prove beyond doubt that the accused attempted to commit murder of the said witness. It is the offence u/s. 324 of IPC that is proved to have been committed against the said witness.

201. In the light of the above discussion, I hold that the prosecution succeeded in proving that the accused voluntarily caused grievous hurt to

PW3 by means of dangerous weapon of offence and attempted to commit murder of the said witness and thereby committed offences punishable u/s. 324, 326 and 307 of IPC. I further hold that the prosecution succeeded in proving that the accused committed offence punishable u/s. 324 of IPC against PW2, PW4 and PW5.

Point no. 10 is answered partly in favour of the prosecution.

202. **Point no. 11:-** The accused is alleged to have committed offences punishable u/s. 323 and 324 of IPC against PW11.

203. There is no medical evidence to prove that PW11 sustained hurt. However, his trustworthy oral evidence prove that he sustained hurt that was inflicted by the accused.

204. Going by the evidence of PW11, he managed to escape from MO1, as he moved away. Therefore, what has to be found is that he sustained hurt in the incident and not by use of MO1 and thereby, he was the victim of offence punishable u/s. 323 of IPC.

205. In the light of the above discussion, I hold that the prosecution succeeded in proving that the accused committed offence punishable u/s.323 of IPC against PW11.

Point no. 11 is answered partly in favour of the prosecution.

206. **Point no. 12:-** The accused has been charged with for having committed criminal intimidation to cause death of PW2 to PW11.

207. The oral evidence do not prove beyond doubt that criminal intimidation was committed against the said witnesses.

208. Consequently, I hold that the prosecution failed to prove that the accused committed offence punishable u/s. 506(ii) of IPC.

Point no. 12 is answered against the prosecution.

209. **Point no. 13:-** The prosecution alleges that the accused voluntarily caused grievous hurt to PW3 to PW5 and deterred them from discharging their official duties.

210. The evidence on record prove beyond doubt that PW3 to PW5 were public officials acting in the discharge of their official duties at the time of occurrence.

211. The medical and oral evidence prove that the accused caused grievous hurt to PW3 and hurt to PW4 and PW5. The evidence on record

further prove that the above witnesses were deterred from discharging their official duties.

212. Therefore, I hold that the prosecution succeeded in proving that the accused committed offence punishable u/s. 333 of IPC against PW3 and offence punishable u/s. 332 of IPC against PW4 and PW5.

Point no. 13 is answered partly in favour of the prosecution.

213. **Point no. 14:-** The oral evidence prove that PW11 was acting as a public servant in the discharge of his official duties at the time of occurrence. It is further proved that the accused caused hurt to PW11 and thereby deterred PW11 from discharging his official duties.

214. Therefore, I hold that the prosecution succeeded in proving that the accused committed offence punishable u/s. 332 of IPC against PW11.

Point no. 14 is answered in favour of the prosecution.

215. **Point no. 15:-** The trustworthy oral evidence of PW1 prove that the accused wrongfully restrained Dr. Vandana Das. Commission of wrongful restraint as defined by Sec. 339 of IPC has been made out. Therefore, I hold that the prosecution succeeded in proving that the

accused wrongfully restrained Dr. Vandana Das and thereby committed offence punishable u/s. 341 of IPC.

Point no. 15 is answered in favour of the prosecution.

216. **Point no. 16:-** The accused has been charged with for having committed assault against PW6 to PW11 and for having deterred them from discharging their official duties.

217. So far as PW6 to PW10 is concerned, there is no satisfactory evidence to prove that the accused committed assault or used criminal force against the said said witnesses.

218. So far as PW11 is concerned, it is the offence punishable u/s. 332 of IPC that has been proved to have been committed.

219. Therefore, I hold that the prosecution failed to prove that the accused committed offence punishable u/s. 353 of IPC.

Point no. 16 is answered against the prosecution.

220. **Point no. 17:-** The evidence on record prove that the accused after committing the crime washed MO1. It is evident that the said act was committed by the accused in order to cause evidence of commission of

offences to disappear. The ingredients necessary to attract Sec. 201 of IPC have been made out.

221. In the light of the above discussion, I hold that the prosecution succeeded in proving that the accused committed offence punishable u/s. 201 of IPC.

Point no 17 is answered in favour of the prosecution.

222. **Point no. 18:-** The oral evidence prove that the accused committed acts of violence against health service persons who were on duty at the Taluk Hospital, Kottarakkara. Dr. Vandana Das being an intern on duty at the hospital and PW5 who was an ambulance driver on duty at the hospital come within the fold of definition of healthcare service persons as contained in Sec. 2(b) of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012. The acts committed by the accused against Dr.Vandana Das and PW5 amounted to acts of “violence” as contained in Sec. 2(e) of the Act.

223. In the light of the above discussion, I hold that the prosecution succeeded in proving that the accused committed violence against health personnel working at the hospital and thereby committed offence

punishable u/s. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012.

Point no. 18 is answered in favour of the prosecution.

224. **Point no. 19:-** In the light of my findings on points 1 to 11, 13 to 15, 17 and 18, I find the accused guilty u/s. 302, 307, 326, 324, 323, 201, 341, 332 and 333 of IPC and Sec. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012 and convict him thereunder.

In the light of my findings on point no. 12 and 16, I find the accused not guilty u/s. 506(ii) and 353 of IPC. Therefore, the accused is acquitted of the said offence u/s. 235(1) of Cr.PC.

Point no. 19 is answered partly in favour of the prosecution.

(Dictated to the Confidential Assistant and to Adalat AI, transcribed and typed by her, corrected by me and pronounced in open Court on this the 17th day of March, 2026.)

Sd/-

P. N. Vinod
Addl. Sessions Judge-I

225. Both sides were heard on the question of sentence.

226. The accused was questioned in person with regard to the sentence to be imposed upon him. The accused stated that he had no enmity towards Dr. Vandana Das and the other injured and the occurrence took place in his mental condition in which he was not able to comprehend facts. He further stated that he has got extreme grief on account of the death of Dr. Vandana Das and his remaining life will be one of repentance and he may be awarded only a lesser sentence. He further stated that he may be given opportunity to visit his mother occasionally and he may be given pardon.

227. The learned Special Public Prosecutor sought for awarding death penalty. The following grounds were highlighted as factors bringing the case within the fold of “rarest of rare cases”. The incident took place at a hospital where no act of violence is expected. The accused attacked Dr. Vandana Das who treated the accused, the well-wishers of the accused, health personnel and police officials. Dr. Vandana Das was put to enormous pain before she died as a result of the injuries. The accused is a teacher and the sentence should be a deterrent against commission of

similar crimes. The incident was gruesome and shocking to the entire society.

228. The learned Special Public Prosecutor relied upon the following decisions:-

In ***Mahesh v. State of Madhya Pradesh (AIR 1987 SC 1346)***, the Hon'ble Supreme Court confirmed the death sentence imposed upon the accused in the said case and found that giving lesser punishment will render the justicing system of the country suspect and the common man will lose faith in courts. In ***Ram Deo Chauhan And Raj Nath Chauhan v. State of Assam (2000 ICO 368)***, the Hon'ble Supreme Court in the facts of the said case held that the said case was an exceptional case in which the crime committed by the accused was shocking and jeopardised the society and death sentence was to be imposed. In ***Sushil Murmu v. State of Jharkhand (2003 (8) Supreme 699)***, the Hon'ble Supreme Court in the facts of the said case held that death sentence was to be imposed in the case.

229. On the other hand, the learned counsel for the accused contended that the case does not fit into the category of "rarest of rare cases". It is contended that the crime was committed under a peculiar

mental condition and the accused was not in a position to understand facts and there was no premeditation. It is contended that though the occurrence took place at the hospital, the accused did not have any intention to commit violence at the hospital and it was without any intention that the acts attributed to the accused happened to be committed. The absence of criminal antecedents of the accused is highlighted.

230. The learned counsel for the accused relied upon the following decisions:-

In *Madan v. State of Uttar Pradesh (2023 KHC 6986)*, the Hon'ble Supreme Court held that the normal rule is that the offence of murder shall be punished with sentence of life imprisonment and the court can depart from that rule and impose a sentence of death, only if there are special reasons for doing so. In *Machhi Singh v. State of Punjab (AIR 1983 SC 957)*, the Hon'ble Supreme Court laid down guidelines for imposing death sentence. In *Bachan Singh v. State of Punjab (AIR 1980 SC 898)*, the Hon'ble Supreme Court dealt with the aggravating and mitigating circumstances to be considered in deciding whether death sentence is liable to be imposed. In *Ramnaresh v. State of Chhattisgarh (AIR 2012 SC 1357)*, the Hon'ble Supreme Court dealt with the aggravating and

mitigating circumstances to be taken into consideration, while deciding whether death penalty was to be imposed.

231. The punishment prescribed by Sec. 302 of IPC is either death or imprisonment for life with sentence of fine. Section 354(3) of Cr.PC provides that when the conviction is for an offence punishable with death or in the alternative with imprisonment for life or imprisonment for a term of years, the judgment shall state the reasons for the sentence awarded and in case of sentence of death, the special reasons for such sentence. It is clear that sentence of death can be awarded only for special reasons.

232. In ***Machhi Singh v. State of Punjab*** referred to above, the Hon'ble Supreme Court by relying upon the judgment of the Hon'ble Supreme Court in ***Bachan Singh v. State of Punjab*** referred to above laid down the following guidelines to impose sentence of death. The extreme penalty of death need not be inflicted except in gravest cases of extreme culpability. Life imprisonment is the rule and death sentence is an exception. Death sentence must be imposed, only when life imprisonment appears to be altogether inadequate punishment, having regard to the relevant circumstances of the case. A balance sheet of aggravating and mitigating circumstances has to be drawn.

233. After taking into consideration the relevant facts and circumstances of the case and the balance sheet of aggravating and mitigating circumstances, I am of the view that this is not a case which fits into the category of rarest of rare cases. The following reasons persuade me to arrive at such a conclusion. The accused is not shown to be having criminal antecedents. That is the conclusion to be drawn in spite of the evidence of his wife who was examined as PW18 regarding the violent behaviour of the accused. The prosecution has no case that the accused was involved in any other case. The evidence on record bring out that prior to the occurrence, the accused was leading a normal life as a son and as a teacher. It was on the fateful day of occurrence alone that the accused got involved in any reported act of crime. I also find that there is the possibility of the accused getting reformed in future. When he was questioned in person with regard to the sentence, he took up a stand that his remaining life will be one of repentance. The learned Special Public Prosecutor challenged the bonafides of the said stand of the accused developed at this stage. However, I am of the opinion that there is possibility of the accused getting reformed in future. The young age of the victim in the crime of murder, the place of occurrence and the profession of

the victim of murder are factors which by themselves cannot lead to a conclusion that the case fits into the category of “rarest of rare cases”.

234. At the same time, I agree with the stand of the prosecution to the effect that the sentence should commensurate with the gravity of the crime and the sentence should not only be reformatory, but should also have a deterrent effect. In my view, the said objective can be achieved by directing that the term sentences that will be imposed will run consecutively and life sentence that has to be imposed will commence only after the expiration of terms sentences.

235. In the above context, I rely upon the decision of the Hon’ble Supreme Court in ***Neera Yadav v. Central Bureau of Investigation (2017 KHC 6523)***. Therein, the Hon’ble Supreme Court dealt with the power conferred on the court u/s. 427 of Cr.PC to order concurrent or consecutive running of sentences. The Hon’ble Supreme Court referred to the decision in ***O.M. Cherian @ Thankachan v. State of Kerala (2015 (2) SCC 501)***. It was held that the discretion to order running of sentences concurrently or consecutively is judicial discretion of the court which has to be exercised as per the established law of sentencing and the court before exercising its discretion u/s. 31 of Cr.PC is required to consider the totality of the facts

and circumstances of the offences, while deciding whether the sentences are to run consecutively or concurrently and any straitjacket approach cannot be laid down in the matter of exercise of such discretion.

236. Here, I take into consideration the totality of the offences committed by the accused. The crime was committed against several victims. One among the victims died. This is not a case where the acts of violence were committed against a single victim alone. The magnitude and the spectrum of the crime lead me to the conclusion that discretion has to be exercised in favour of directing the term sentences to run consecutively, subject to the rider that sentences imposed with regard to offences against a common victim will have to be ordered to run concurrently.

237. With regard to the term sentence and life sentence, I refer to the decision of the Hon'ble Supreme Court in ***Muthuramalingam v. State (ILR 2016 (3) Kerala 513)***. Therein, it was held that in case life sentence and term sentence are awarded at one trial, Sec. 31 of Cr.PC empowers the court to direct that the prisoner shall undergo the term sentence before the commencement of life sentence. I am satisfied that interest of justice demands that such a direction is issued in this case.

238. Therefore, sentence is passed as follows:-

- (a) The accused is sentenced to undergo imprisonment for life and to pay fine of ₹1,00,000/- (Rupees One lakh only) u/s. 302 of IPC for having committed murder of Dr. Vandana Das, in default of payment of fine to undergo a further period of rigorous imprisonment for six months
- (b) The accused is sentenced to undergo rigorous imprisonment for ten years and to pay fine of ₹50,000/- (Rupees Fifty thousand only) u/s. 307 of IPC for having attempted to commit murder of PW3, in default of payment of fine to undergo a further period of rigorous imprisonment for three months.
- (c) The accused is sentenced to undergo rigorous imprisonment for ten years and to pay fine of ₹25,000/- (Rupees Twenty five thousand only) u/s. 326 of IPC for having voluntarily caused grievous hurt to PW3 by means of dangerous weapon of offence, in default of payment of fine to undergo a further period of rigorous imprisonment for three months.
- (d) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW3 by means of dangerous weapon of offence.
- (e) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW2 by means of dangerous weapon of offence.
- (f) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW4 by means of dangerous weapon of offence.

- (g) The accused is sentenced to undergo rigorous imprisonment for six months u/s. 324 of IPC for having voluntarily caused hurt to PW5 by means of dangerous weapon of offence.
- (h) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 323 of IPC for having voluntarily caused hurt to PW11.
- (i) The accused is sentenced to undergo rigorous imprisonment for two years u/s. 333 of IPC for having committed the said offence against PW3.
- (j) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 332 of IPC for having committed the said offence against PW4.
- (k) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 332 of IPC for having committed the said offence against PW5.
- (l) The accused is sentenced to undergo rigorous imprisonment for three months u/s. 332 of IPC for having committed the said offence against PW11.
- (m) The accused is sentenced to undergo simple imprisonment for one month u/s. 341 of IPC for having committed the said offence against Dr. Vandana Das.
- (n) The accused is sentenced to undergo rigorous imprisonment for two years and to pay fine of ₹10,000/- (Rupees Ten thousand only) u/s. 201 of IPC, in default of payment of fine to undergo a further period of rigorous imprisonment for one month.

- (o) The accused is sentenced to undergo rigorous imprisonment for five years and to pay fine of ₹50,000/- (Rupees Fifty thousand only) u/s. 3 r/w 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012, in default of payment of fine to undergo a further period of rigorous imprisonment for three months.
- (p) It is directed that the term sentences will run consecutively, subject to the rider that term sentences imposed u/s. 307, 326, 324 and 333 of IPC in the case of PW3 will run concurrently and term sentences imposed u/s. 324 and 332 of IPC in the case of PW4 will run concurrently and term sentences imposed u/s. 324 and 332 of IPC in the case of PW5 will run concurrently and term sentences u/s. 323 and 332 of IPC in the case of PW11 will run concurrently.
- (q) It is directed that the life sentence u/s. 302 of IPC will commence only after the completion of the term sentences, subject to the further direction that the substantive sentence imposed u/s. 341 of IPC will run concurrently with the life sentence u/s. 302 of IPC, since both sentences relate to the same victim (Dr. Vandana Das).

239. The period of detention already undergone by the accused from 10.05.2023 till 21.03.2026 will be set off, in case the sentence of imprisonment for life is either remitted or commuted by the appropriate Government.

240. If the fine amount imposed u/s. 302 of IPC is realised, it will be paid as compensation to the legal heirs of the deceased u/s. 357(1)(b) of Cr.PC. Further, if the fine amounts imposed u/s. 307, 326 and 333 of IPC are realised, half portion of the fine amount will be paid as compensation to PW3 u/s. 357(1)(b) of Cr.PC.

241. MO1 will be broken up and sold as per Rule 268 of the Kerala Criminal Rules of Practice after the appeal period is over. MO2, MO3, MO9, MO10, MO12 to MO18, MO23 and MO24 being valueless will be destroyed after the appeal period is over. MO4 to MO8 series are the personal properties of Dr. Vandana Das. It is ordered that the said properties will be returned to the parents of Dr. Vandana Das after the appeal period is over. MO11 mobile phone was seized from the possession of the accused. MO11 is not shown to have been used in the commission of the crime. Therefore, MO11 will be returned to the accused after the appeal period is over. MO19 to MO21 being electronic properties will be disposed of as per Rules after the appeal period is over.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 21st day of March, 2026.)

Sd/-
P. N. Vinod
Addl. Sessions Judge-I

APPENDIX**Exhibits for the Prosecution :**

P1	-	10.05.2023	-	FIS proved by PW1
P2	-	---	-	Certified copy of attendance register of Internship Training proved by PW1
P2(a)	-	---	-	Copy of relevant page of attendance register of Internship Training for the month of May, 2023 proved by PW1
P3	-	10.05.2023	-	Out patient ticket proved by PW2
P4	-	---	-	Copy of relevant page of inventory book (Instruments) proved by PW9
P4(a)	-	---	-	Instrument details proved by PW9
P5	-	---	-	FSL report proved by PW12
P5(a)	-	---	-	Annexure of FSL proved by PW12
P5(b)	-	---	-	Pendrive (128 GB) proved by PW12
P5(c)	-	---	-	CCTV Visuals between 4:10 to 4:17:31 proved by PW12
P5(d)	-	---	-	CCTV Visuals @ 4:19:08 proved by PW12
P5(e)	-	---	-	CCTV Visuals from 4:19:09 to 4:19:18 proved by PW12
P5(f)	-	---	-	CCTV Visuals from 4:19:20 to 4:21:00 proved by PW12
P5(g)	-	---	-	CCTV Visuals from 4:24:38 to 4:25:15 proved by PW12
P5(h)	-	---	-	CCTV Visuals from 4:27:13 to 4:28:23 proved by PW12
P5(i)	-	---	-	CCTV Visuals from 4:28:23 to 4:28:33 proved by PW12
P5(j)	-	---	-	CCTV Visuals from 4:28:33 to 4:31:16 proved by PW12

- | | | | |
|--------|---|-----|---|
| P5(k) | - | --- | - CCTV Visuals from 4:32:57 to 4:35:13 proved by PW12 |
| P5(l) | - | --- | - CCTV Visuals from 4:35:13 to 4:35:17 proved by PW12 |
| P5(m) | - | --- | - CCTV Visuals from 4:35:18 to 5:06 proved by PW12 |
| P5(n) | - | --- | - CCTV Visuals from 4:00:53 to 4:01 proved by PW12 |
| P5(o) | - | --- | - CCTV Visuals from 4:01:49 to 4:02 proved by PW12 |
| P5(p) | - | --- | - CCTV Visuals from 4:02:30 to 4:04 proved by PW12 |
| P5(q) | - | --- | - CCTV Visuals from 4:16:15 to 4:21:16 proved by PW12 |
| P5(r) | - | --- | - CCTV Visuals from 4:21:17 to 4:21:32 proved by PW12 |
| P5(s) | - | --- | - CCTV Visuals from 4:21:33 to 4:24:16 proved by PW12 |
| P5(t) | - | --- | - CCTV Visuals from 4:24:17 to 4:24:47 proved by PW12 |
| P5(u) | - | --- | - CCTV Visuals from 4:24:47 to 4:25:55 proved by PW12 |
| P5(v) | - | --- | - CCTV Visuals from 4:25:55 to 4:26:50 proved by PW12 |
| P5(w) | - | --- | - CCTV Visuals from 4.26.51 to 4.28.04 proved by PW12 |
| P5(x) | - | --- | - CCTV Visuals from 4:30:14 to 4:30:36 proved by PW12 |
| P5(y) | - | --- | - CCTV Visuals from 4:30:54 to 4:31:45 proved by PW12 |
| P5(z) | - | --- | - CCTV Visuals from 4:32:40 to 4:33:25 proved by PW12 |
| P5(aa) | - | --- | - CCTV Visuals from 4:33:50 to 4:35:25 proved by PW12 |

P5(ab)	-	---	- CCTV Visuals from 4:36:13 to 4:37:14 proved by PW12
P5(ac)	-	---	- CCTV Visuals from 4:37:14 to 4:38:44 proved by PW12
P5(ad)	-	---	- CCTV Visuals from 4:38:45 to 4:38:53 proved by PW12
P5(ae)	-	---	- CCTV Visuals from 4:38:53 to 4:39:56 proved by PW12
P5(af)	-	---	- CCTV Visuals from 4:39:56 to 4:39:59 proved by PW12
P5(ag)	-	---	- CCTV Visuals from 4:39:59 to 4:40:39 proved by PW12
P5(ah)	-	---	- CCTV Visuals from 4:40:39 to 4:40:48 proved by PW12
P5(ai)	-	---	- CCTV Visuals from 4:40:48 to 4:41:23 proved by PW12
P5(aj)	-	---	- CCTV Visuals from 4:41:23 to 4:41:26 proved by PW12
P5(ak)	-	---	- CCTV Visuals from 4:41:26 to 4:41:50 proved by PW12
P5(al)	-	---	- CCTV Visuals from 4:41:50 to 4:41:55 proved by PW12
P5(am)	-	---	- CCTV Visuals from 4:41:56 to 4:47:40 proved by PW12
P5(an)	-	---	- Folder containing video from phone proved by PW12
P5(ao)	-	---	- Folder named Xiaomi proved by PW12
P5(ap)	10.05.2023		Video (WhatsApp video) proved by PW12
P5(aq)	-	---	- PDF report Xiaomi M 2101K6P proved by PW12
P6	-	---	- Hash value report proved by PW12
P7	-	---	- Photograph proved by PW12
P7(a)	-	---	- Photograph proved by PW12
P7(b)	-	---	- Photograph proved by PW12

P7(c)	-	---	- Photograph proved by PW12
P7(d)	-	---	- Photograph proved by PW12
P7(e)	-	---	- Photograph proved by PW12
P7(f)	-	---	- Photograph proved by PW12
P7(g)	-	---	- Photograph proved by PW12
P8	-	---	- Copy of attendance register of Medical Officers proved by PW20
P9	-	---	- Certified copy of attendance register of Nursing Officers proved by PW20
P10	-	---	- Certified copy of attendance register of Nursing Assistants proved by PW20
P11	-	---	- Certified copy of attendance register of HMC Staff proved by PW20
P12	-	18.07.2022	- Order of District Medical Officer proved by PW20
P13	-	---	- Copy of Duty register proved by PW20
P14	-	---	- Copy of IP register proved by PW20
P15	-	---	- Certified copy of observation register proved by PW20
P16	-	---	- Certified copy of report book of labour room proved by PW20
P17	-	18.11.2021	- Certified copy of Gazette Notification of CRMI proved by PW21
P18	-	16.02.2022	- Copy of Circular from Kerala University of Medical Sciences proved by PW21
P19	-	22.04.2022	- Request letter proved by PW21
P20	-	14.07.2022	- Request letter proved by PW21
P21	-	08.06.2022	- Copy of sanction order of letter proved by PW21
P22	-	08.06.2022	- Communication relating to posting of Interns at Taluk Hospital, Kottarakkara proved by PW21

- P23 - 09.03.2023 - Copy of list of interns for posting at Taluk Head Quarters Hospital, Kottarakkara proved by PW21
- P24 - --- - Posting schedule of interns proved by PW21
- P25 - --- - Case sheet of Vijaya Hospital proved by PW22
- P26 - 10.05.2023 - Referral letter of Vijaya Hospital proved by PW22
- P27 - 08.06.2023 - Copy of treatment record from N.S Hospital, Kollam proved by PW23
- P28 - 02.06.2023 - Copy of treatment record from N.S Hospital, Kollam proved by PW23
- P29 - 25.05.2023 - Mahazar of Registers proved by PW27
- P30 - 26.05.2023 - Treatment certificate of Manilal (PW4) proved by PW28
- P31 - 29.05.2023 - Treatment certificate of Binu (PW2) proved by PW28
- P32 - 05.06.2023 - Treatment certificate of Alexkutty (PW3) proved by PW29
- P33 - 10.05.2023 - Inquest report proved by PW31
- P34 series - --- - Photographs of Inquest (46 Nos) proved by PW32
- P35 - --- - DVD of Inquest proved by PW32
- P36 - 29.07.2023 - Sec. 65B Certificate proved by PW32
- P37 - 10.05.2023 - Scene Mahazar proved by PW33
- P38 - 12.05.2023 - Seizure Mahazar proved by PW34
- P39 - 18.05.2023 - Mahazar proved by PW35
- P40 - 22.05.2023 - Mahazar proved by PW36
- P41 - 10.05.2023 - Seizure Mahazar proved by PW37
- P42 - 10.05.2023 - Seizure Mahazar proved by PW37
- P43 - 10.05.2023 - Seizure Mahazar proved by PW38
- P44 - 10.05.2023 - Seizure Mahazar proved by PW38
- P45 - 10.05.2023 - Seizure Mahazar proved by PW39

- P46 - 06.06.2023 - Inventory proved by PW40
- P47 - 11.05.2023 - Inventory Mahazar proved by PW39
- P47(a) - 19.06.2026 - Scene Mahazar proved by PW41
- P48 - 27.06.2023 - Inventory of daily duty register proved by PW42
- P49 - 24.04.2023 - Copy of Daily duty register proved by PW42
- P50 - 27.06.2023 - Inventory of OP Diagnosis register proved by PW43
- P51 - 27.06.2023 - Copy of OP Diagnosis register proved by PW43
- P52 - 05.06.2023 - Inventory of patient visit proved by PW44
- P53 - 05.06.2023 - Certificate u/s. 65B of Indian Evidence Act proved by PW44
- P54 - 29.05.2023 - Inventory of photographs proved by PW45
- P55 - 25.07.2023 - Inventory proved by PW45
- P56 - 14.05.2023 - Mahazar proved by PW46
- P57 - 16.05.2023 - Mahazar proved by PW46
- P58 - 18.05.2023 - Seizure Mahazar proved by PW46
- P59 - 18.05.2023 - Seizure Mahazar proved by PW46
- P60 - 18.05.2023 - Seizure Mahazar proved by PW46
- P61 - 20.05.2023 - Seizure Mahazar proved by PW46
- P62 - 20.05.2023 - Inventory proved by PW46
- P63 - 20.05.2023 - Inventory proved by PW46
- P64 - 25.05.2023 - Inventory proved by PW46
- P65 - 20.05.2023 - Inventory proved by PW46
- P66 - 22.06.2023 - Mahazar proved by PW46
- P67 - 11.07.2023 - Inventory proved by PW46
- P68 - 26.07.2023 - Mahazar proved by PW46
- P69 - 29.07.2023 - Inventory proved by PW46
- P70 - 26.05.2023 - Inventory proved by PW47

P71	- 08.06.2023	- Inventory proved by PW47
P72	- 10.05.2023	- Wound certificate of Dr.Vandana Das proved by PW48
P73	- 10.05.2023	- Wound certificate of PW2 proved by PW48
P74	- 10.05.2023	- Wound certificate of PW3 proved by PW48
P75	- 10.05.2023	- Wound certificate of PW4 proved by PW48
P76	- 20.06.2023	- Inventory proved by PW49
P77	- 09.05.2023	- Petition filed by accused proved by PW4
P78	- 20.06.2023	- Receipt proved by PW49
P79	- 24.05.2018	- Discharge summary proved by PW50
P80	- 07.06.2023	- Inventory proved by PW50
P81	- 06.07.2023	- Scene Plan I proved by PW52
P82	- ---	- Scene Plan II proved by PW52
P83	- ---	- Scene Plan III proved by PW52
P84	- ---	- Scene Plan IV proved by PW52
P85	- ---	- Scene Plan V proved by PW52
P86	- 19.05.2023	- Report of Medical Board proved by PW53
P87	- 03.06.2023	- Medical Examination Report proved by PW53
P88	- 19.05.2023	- Treatment Records of KIMS Hospital, Kollam proved by PW54
P89	- 31.05.2023	- Chemical Analysis Certificate proved by PW55
P90	- 31.05.2023	- Chemical Analysis Certificate proved by PW55
P91	- 15.05.2023	- Forwarding note proved by PW55
P92	- 20.05.2023	- Forwarding note proved by PW55
P93	- 12.05.2023	- Postmortem Certificate proved by PW56
P94	- 26.03.2025	- Sec. 65 B certificate proved by PW12
P95	- 10.05.2023	- Collection of evidence proved by PW57
P96	- ---	- Photographs proved by PW58
P96(a)	- ---	- Photographs proved by PW58

P96(b)	-	---	-	Photographs proved by PW58
P97	-	26.07.2023	-	Sec. 65 B certificate proved by PW58
P98	-	---	-	DVD(1) of Seizure of CCTV Hard Disk proved by PW58
P99	-	26.07.2023	-	Sec. 65 B certificate proved by PW58
P100	-	27.05.2023	-	Sec. 65B certificate proved by PW58
P101	-	---	-	DVD(2) of Seizure of CCTV Hard Disk proved by PW58
P102	-	10.05.2023	-	Duty certificate proved by PW60
P103	-	04.12.2024	-	Medical Board Report proved by PW65
P104	-	05.07.2023	-	FSL Report proved by PW66
P105	-	02.06.2023	-	Forwarding note proved by PW66
P106	-	10.05.2023	-	FIR proved by PW67
P107	-	10.05.2023	-	Report proved by PW68
P108	-	10.05.2023	-	Proceedings proved by PW68
P109	-	12.05.2023	-	Report proved by PW68
P110	-	10.05.2023	-	Property list proved by PW68
P111	-	10.05.2023	-	Report proved by PW68
P112	-	10.05.2023	-	Property list proved by PW68
P113	-	11.05.2023	-	Report proved by PW68
P114	-	10.05.2023	-	Property list proved by PW68
P115	-	11.05.2023	-	Report proved by PW68
P116	-	10.05.2023	-	Property list proved by PW68
P117	-	10.05.2023	-	Report proved by PW68
P118	-	10.05.2023	-	Arrest memo proved by PW68
P119	-	10.05.2023	-	Inspection memo proved by PW68
P120	-	10.05.2023	-	Custody memo proved by PW68
P121	-	10.05.2023	-	Check list proved by PW68
P122	-	10.05.2023	-	Property list proved by PW68
P123	-	10.05.2023	-	Report proved by PW68
P124	-	10.05.2023	-	Report proved by PW68

- P125 - 10.05.2023 - Property list proved by PW68
- P126 - 10.05.2023 - Report proved by PW68
- P127 - 10.05.2023 - Remand application proved by PW68
- P128 - 10.05.2023 - Report proved by PW68
- P129 - 11.05.2023 - Report proved by PW68
- P130 - 25.07.2023 - Duty certificate proved by PW68
- P131 - 11.05.2023 - Form 15 proved by PW68
- P132 - 10.05.2023 - Affidavit proved by PW68
- P133 - 12.05.2023 - Report proved by PW69
- P134 - 11.05.2023 - Proceedings of District Police Chief,
Kollam Rural proved by PW69
- P135 - 12.05.2023 - Report proved by PW69
- P136 - 12.05.2023 - Form 15 proved by PW69
- P137 - 12.05.2023 - Hash Value Report Memo No.1
proved by PW69
- P137(a) - 12.05.2023 - Hash Value Report Memo No.02
proved by PW69
- P137(b) - 12.05.2023 - Hash Value Report Memo No.03
proved by PW69
- P138 - 12.05.2023 - Property list proved by PW69
- P139 - 14.05.2023 - Report proved by PW69
- P140 - 14.05.2023 - Property list proved by PW69
- P141 - 25.07.2023 - CCTV Visuals analysing report
proved by PW69
- P142 - 16.06.2023 - Report proved by PW69
- P143 - 16.05.2023 - Property list proved by PW69
- P144 - 18.05.2023 - Report proved by PW69
- P145 - 18.05.2023 - Property list proved by PW69
- P146 - 18.05.2023 - Report proved by PW69
- P147 - 20.05.2023 - Report proved by PW69
- P148 - 20.05.2023 - Property list proved by PW69

- P149 - 20.05.2023 - Property list proved by PW69
- P150 - 22.05.2023 - Report proved by PW69
- P151 - 22.05.2023 - Report proved by PW69
- P152 - 25.05.2023 - Report proved by PW69
- P153 - 25.05.2023 - Property list proved by PW69
- P154 - 25.05.2023 - Report proved by PW69
- P155 - 26.05.2023 - Form 15 proved by PW69
- P156 - 29.05.2023 - Report proved by PW69
- P157 - 29.05.2023 - Form 15 proved by PW69
- P158 - 30.05.2023 - Property list proved by PW69
- P159 - 31.05.2023 - Requisition form for forwarding digital evidence to Forensic Science Laboratory proved by PW69
- P160 - 30.05.2023 - Property list proved by PW69
- P161 - 01.06.2023 - Report proved by PW69
- P162 - 05.06.2023 - Report proved by PW69
- P163 - 06.06.2023 - Report proved by PW69
- P164 - 06.06.2023 - Form 15 proved by PW69
- P165 - 07.06.2023 - Report proved by PW69
- P166 - 07.06.2023 - Form 15 proved by PW69
- P167 - 05.06.2023 - List of documents proved by PW69
- P168 - 09.05.2023 - Patient visit report proved by PW69
&
10.05.2023
- P169 - 20.05.2023 - Letter of Judicial First Class Magistrate-I, Kottarakkara proved by PW69
- P170 - 20.05.2023 - Application of the Crime Branch DySP proved by PW69
- P171 - 20.05.2023 - Letter of the JFMC-I, Kottarakkara proved by PW69
- P172 - 15.05.2023 - Report proved by PW69
- P173 - 08.06.2023 - Report proved by PW69

- P174 - 10.05.2023 - Death intimation proved by PW69
- P175 - 08.06.2023 - List of document proved by PW69
- P176 - 19.06.2023 - Report proved by PW69
- P177 - 20.06.2023 - Report proved by PW69
- P178 - 20.06.2023 - List of documents proved by PW69
- P179 - 20.06.2023 - Report proved by PW69
- P180 - 10.05.2023 - Atomic event report proved by PW69
- P181 - 22.06.2023 - Sec.65B Certificate proved by PW69
- P182 - 22.06.2023 - List of documents proved by PW69
- P183 - 22.06.2023 - Property list proved by PW69
- P184 - 27.06.2023 - Report proved by PW69
- P185 - 27.06.2023 - List of documents proved by PW69
- P186 - 11.07.2023 - Report proved by PW69
- P187 - --- - WhatsApp message print out proved by PW69
- P188 - 11.07.2023 - Sec.65B Certificate proved by PW69
- P189 - 11.07.2023 - List of documents proved by PW69
- P190 - 25.07.2023 - Report proved by PW69
- P191 - 25.07.2023 - List of document proved by PW69
- P192 - 26.07.2023 - Report proved by PW69
- P193 - 26.07.2023 - List of documents proved by PW69
- P194 - 26.07.2023 - Report proved by PW69
- P195 - 29.07.2023 - Report proved by PW69
- P196 - 29.07.2023 - List of document proved by PW69
- P197 - 29.07.2023 - Crime scene examination report
proved by PW39
- P198 - 11.05.2023 - Discharge summary of PW11 from Vijaya
Hospital, Kottarakkara proved by PW69
- P199 - 25.05.2023 - Receipt proved by PW69
- P200 - 06.06.2023 - Receipt proved by PW69
- P201 - 27.06.2023 - Receipt proved by PW69
- P202 - 27.06.2023 - Receipt proved by PW69

- P203 - 16.03.2023 - Order of the JFMC-I, Kottarakkara proved by PW69
- P204 - 22.05.2023 - List of documents proved by PW69
- P205 - 22.05.2023 - List of document proved by PW69
- P206 - 27.06.2023 - Report proved by PW69
- P207 - 10.05.2023 - Application proved by PW69

Exhibits for the Defence :

- D1 - 15.06.2023 - Portion of Sec.161 statement proved by PW17
- D2 - --- - Video with ID No.Vid 20230510-WA0000 Part of P5(an) proved by PW12
- D3 - 22.06.2023 - Portion of Sec.161 statement proved by PW65
- D4 - --- - Pen drive proved by PW69
- D5 - --- - Medical record of Central Prison, Trivandrum proved by DW2
- D6 - --- - Prescription of medical records proved by DW2
- D6(a) - 14.08.2023 - Out patient records proved by PW53
- D6(b) - 04.07.2023 - Out patient records proved by PW53
- D6(c) - 14.08.2023 - Out patient records proved by PW53
- D6(d) - 19.06.2023 - Out patient records proved by PW53

Court Exhibits : Nil

Witnesses for the Prosecution:

- PW1 - Dr.Muhammed Shibin Kottuvala,
Intern, Taluk Hospital, Kottarakkara.
- PW2 - Binu.M

- PW3 - Alexkutty, Home Guard,
Pooyappally Police Station
- PW4 - Manilal.K, Assistant Sub Inspector,
Kottarakkara Police Station
- PW5 - Rajesh.S, Ambulance Driver,
Taluk Hospital, Kottarakkara
- PW6 - Minimol.T, Attender Grade II,
Taluk Hospital, Kottarakkara
- PW7 - Pradeepa.P, Data Entry Operator,
Taluk Hospital, Kottarakkara
- PW8 - Remya.T.P, Nursing Officer,
Taluk Hospital, Kottarakkara
- PW9 - Jayanthi.N, Nursing Assistant,
Taluk Hospital, Kottarakkara
- PW10 - Bijeesh.R, Driver,
Pooyappally Police Station
- PW11 - Baby Mohan.R, Sub Inspector of Police,
Pooyappally Police Station
- PW12 - Gopika G R, Scientific Officer,
State Forensic Science Laboratory,
Thiruvananthapuram.
- PW13 - Rajendran Pillai. B
- PW14 - Dr. Subina Hussain
- PW15 - Susan George, Headmistress,
UP School, Nedumpana
- PW16 - Lizyamma Chacko,
Senior Nursing Officer,
Taluk Hospital, Kottarakkara
- PW17 - Sudheesh T S, Nursing Assistant,
NS Hospital, Kollam
- PW18 - Sangeetha G S
- PW19 - Dr. Vinayak. V,

- Vijaya Hospital, Kottarakkara
- PW20 - Dr. K.R.Sunilkumar, Superintendent,
Taluk Hospital, Kottarakkara
- PW21 - Dr. K.Sasikala, Principal and Professor,
Forensic Medicine,
Azeezia Medical College, Kollam
- PW22 - Dr. Nidhin, Chief Medical Officer,
Vijaya Hospital, Kottarakkara
- PW23 - Dr. Sreekumar.D,
Deputy Medical Superintendent,
NS Memorial Institute of Medical Science,
Kollam
- PW24 - Dr. Praveen, Medical Officer,
Primary Health Centre, Vappala
- PW25 - Shiju Narayanan
- PW26 - Latha Devi.O, Administrative Assistant,
Vijaya Hospital, Kottarakkara
- PW27 - Beena.K, Deputy Nursing Superintendent,
Taluk Hospital, Kottarakkara
- PW28 - Dr. Manoj.V, Consultant Surgeon,
N.S Hospital, Kollam
- PW29 - Dr. Sooraj Sankar, General Surgeon,
Vijaya Hospital, Kottarakkara
- PW30 - Manikandan.M, Staff Nurse,
Emergency Department,
KIMS Hospital, Thiruvananthapuram.
- PW31 - Renjith R.S
- PW32 - Saju.S, Photographer
- PW33 - Saimon Thomas, Nursing Officer,
Taluk Hospital, Kottarakkara
- PW34 - Ajayan.K, Clerk,
Taluk Hospital, Kottarakkara

- PW35 - Madhusoodanan Pillai
- PW36 - Ajith Kumar.R, Manager,
Vijaya Hospital, Kottarakkara
- PW37 - Bineesh.N, Grade Civil Police Officer,
Chadayamangalam Police Station
- PW38 - Ajithkumar.K, Civil Police Officer,
Kottarakkara Police Station
- PW39 - Rajesh.R, Civil Police Officer,
Kottarakkara Police Station
- PW40 - Sreelatha P.L, Staff Nurse,
Taluk Hospital, Kottarakkara.
- PW41 - Rincy Saji, DTP Operator,
Taluk Hospital, Kottarakkara.
- PW42 - Bindhu Kumari.L, Attender Grade II,
Taluk Hospital, Kottarakkara.
- PW43 - Prasanna, Attender Grade II,
Taluk Hospital, Kottarakkara.
- PW44 - Shibu.A, Assistant Sub Inspector,
Crime Branch, Kollam Rural
- PW45 - Santha Kumar.P, Assistant Sub Inspector,
Crime Branch, Kollam Rural
- PW46 - Manoj Kumar, Grade Sub Inspector,
Crime Branch, Kollam Rural
- PW47 - Binu.B, Civil Police Officer,
Crime Branch, Kollam Rural
- PW48 - Dr. Vibin Raj Ahimas,
Emergency Physician,
Vijaya Hospital, Kottarakkara
- PW49 - Biju N.G, Police Officer (GD),
Pooyappally Police Station
- PW50 - Ajesh.A, Supporting staff,
Travancore Medicity Hospital, Kollam

- PW51 - Riju.K, Civil Police Officer,
Pooyappally Police Station
- PW52 - Jobi.V, Village Officer, Kottarakkara.
- PW53 - Dr. S.Krishnan,
Head of the Department of Psychiatry,
Medical College Hospital,
Thiruvananthapuram
- PW54 - Dr. Gouri Sankar.S, Senior Registrar,
Department of Emergency Medicine,
KIMS Hospital, Thiruvananthapuram
- PW55 - Haseena.S, Assistant Chemical Examiner,
Chemical Examiner's Laboratory,
Thiruvananthapuram
- PW56 - Dr. K.Valsala, Associate Professor and
Deputy Police Surgeon,
Department of Forensic Medicine,
Govt Medical College,
Thiruvananthapuram
- PW57 - Elgin Carlose, Scientific Officer,
DCB Office, Kollam Rural
- PW58 - Syamlal.S, Photographer, Kollam Rural
- PW59 - Sajeev, Grade Sub Inspector,
Kottarakkara Police Station
- PW60 - Abhilash A.R, Sub Inspector of Police,
Pooyappally Police Station
- PW61 - Manju.T.J, Civil Police Officer,
Chadayamangalam Police Station
- PW62 - Rajeev.G, Sub Inspector of Police,
Kottarakkara Police Station
- PW63 - Balaji S Kurup, Sub Inspector of Police,
Kottarakkara Police Station
- PW64 - Sunil.G, Inspector of Police,

- Chadayamangalam Police Station
- PW65 - Dr. Arun.V, Consultant in Psychiatry,
Govt. Mental Health Centre,
Thiruvananthapuram
- PW66 - Leena V Nair, Scientific Officer (Biology),
State Forensic Science Laboratory,
Thiruvananthapuram
- PW67 - Gopakumar.G, Sub Inspector of Police,
Kottarakkara Police Station
- PW68 - V.S.Prasanth, Station House Officer,
Kottarakkara Police Station
- PW69 - M.M.Jose, DySP, Crime Branch,
Kollam Rural
- PW70 - Mahesh Mohan, Civil Police Officer,
Cyber Cell, Kollam Rural

Witnesses for the Defence :

- DW1 - Sreekumar C.G
- DW2 - Binodu George, Superintendent,
Central Prison, Thiruvananthapuram
- DW3 - Heman

Material objects :

- MO1 - Scissors
- MO2 - Pant (Accused)
- MO3 - T Shirt (Accused)
- MO4 - Pants (Dr. Vandana Das)
- MO5 - Churidar Top (Dr. Vandana Das)

MO6	-	Stethoscope (Dr. Vandana Das)
MO7	-	Pen (Dr. Vandana Das)
MO8 (series)	-	Sandals (Dr. Vandana Das)
MO9	-	Mobile Cover (Accused)
MO10	-	T Shirt (PW2)
MO11	-	Mobile Phone (Accused)
MO12	-	Shirt Kakhi (PW3)
MO13	-	Pants (PW3)
MO14	-	Handkerchief (PW3)
MO15	-	Banyan (PW3)
MO16	-	Shirt (PW4)
MO17	-	Pants (PW4)
MO18	-	Banyan (PW4)
MO19	-	Hard Disk
MO20	-	SIM Card (Jio)
MO21	-	SIM Card (BSNL)
MO22	-	Shirt (PW13)
MO23	-	Piece of broken Chair

Id/-
Addl. Sessions Judge-I

TABULAR FORM AS PER RULE 132 OF THE CRIMINAL RULES OF PRACTICE

1. Serial No. : S.C. No.1275/2023
 Name of Police Station & : 1202/2023 of
 2. Crime No. of offence : Kottarakkara Police Station

DESCRIPTION OF THE ACCUSED

3. Name of Accused : Sandeep.G
 4. Father's name : S/o. Gopinathan Pillai
 5. Occupation : ---
 6. Residence : Sreenilayam, Near
 Cherukarakkonam Parabrahma Temple,
 Cherukarakkonam, Kudavattoor Muri,
 Odanavattom Village.
 7. Age : 43/2023 years

DATES OF

8. Occurrence : 10.05.2023
 9. Complaint : 10.05.2023
 10. Apprehension : 10.05.2023
 11. Release on bail : Under judicial custody
 12. Commitment : 19.09.2023
 13. Commencement of trial : 29.05.2024
 14. Close of trial : 07.03.2026
 15. Sentence or Order : 21.03.2026
 16. Service of copy of judgment
 or finding on accused : 21.03.2026
 17. Cause of delay : No delay

Sd/-
 P.N. Vinod
 Addl. Sessions Judge-I

Typed by : Rekha. K. Raj
 Comp. by: Sreeju.G

Judgment
in
S.C. No.1275/2023
Dated: 21.03.2026