

IN THE COURT OF THE JUDICIAL MAGISTRATE OF I CLASS-I, PERUMBAVOOR

Present:

Sri. Rajesh G., B.A.L., LL.B., Judicial Magistrate of I Class-I
Wednesday, the 23rd day of October 2013/1st day of Karthika 1935

CC 1420/12

Complainant : State-rep. by the Forest Range Officer, Kalady
(OR 1/12 Karakkad F.S)
By A.P.P. Gr.II.

Accused : A1 Solano Reyes Jimmy Vicente aged 26, Machala,
Laferoviria, Republic of Ecuador.
By Adv. Naveen Bose

: A2 Odiase Austin Guobadia aged 56, No.3, Fujah Street,
Suraleru, Lagos, Republic of Nigeria.
By Adv. Shibu Varghese

Offence : U/S 51 of Wild Life (Protection) Act 1972

Plea : Not guilty

Finding : Guilty

Sentence or order : Both accused are found guilty of offence punishable u/s
51(1) of the Wild Life Protection Act. Both accused are
sentenced to undergo Rigorous Imprisonment for a period of
Three Years and to pay a fine of Rupees 10,000/- each. In
default of payment of fine amount accused shall undergo
simple imprisonment for a period of three months each.
Both accused are entitled for set off u/s 428 of Cr.P.C. from
28.01.2012 to till date.

DESCRIPTION OF ACCUSED

Name	Father's name	Calling	Residence	Age
A1: Solano Reyes Jimmy Vicente	-	-	Republic of Ecuador	26
A2: Odiase Austin Guobadia	-	-	Republic of Nigeria	56

DATE OF

Offence	Complaint	Appearance of accused	Release on bail	Commence ment of trial	Close of trial	Sentence or order
26.01.12	28.01.12	28.01.12	Custody	29.11.12	23.10.13	23.10.13

This case having been finally heard on today, the court on the same day passed the following:

JUDGEMENT

This case is based on a Form II Report submitted by Forest Range Officer, Kalady alleging that accused have committed offence punishable u/s 51 of Wild Life (Protection) Act 1972.





2. The prosecution case in brief as follows:

Accused are two in number. They are foreign nationals. Among them A1 Solano Reyes Jimmy Vicente is a citizen of Republic of Ecuador. A2 Odiase Austin Guobadia is a citizen of Republic of Nigeria. On 26.01.12 both accused came at Domestic Departure Terminal of Cochin International Airport situated at Nedumbassery to board Jet Airways to go to Chennai. Their luggages have been given for customs checking. During the course of the checking customs authorities entertained a suspicion about the baggages of A1. They opened the strolley bag of A1. They found a suitcase therein. Inside the suitcase a pouch has been hidden on its top layer. On verification of the pouch they found some contraband liquid. When A1 was intercepted by the customs officials, A2 fled away from the airport and he board a train from Angamally to Chennai. The customs officials were not sure about the nature of liquid which they found in the luggage of A1. They informed the matter to various Government departments who engaged in the field of detecting crimes and accordingly DFO, Malayattoor came there and he identified the said liquid as snake venom. By that time A2 was apprehended by the officers of Narcotic squad at Chennai central Railway Station and he was brought to the airport. Since the contraband item is relating to a wild animal the customs officials entrusted the accused and the seized articles to forest department for further investigation in this matter. Prosecution alleged that accused have attempted to transport snake venom without any authority and in violation of the Wild Life Protection Act and therefore they have committed offences punishable u/s 51 of the Act.

3. Pw1 was the Superintendent of Air Intelligence of customs at International Airport. He had prepared Ext.P1 mahazar as the accused was found in possession of a contraband article. Later Pw2, Divisional Forest Officer, Malayattoor came to the airport and identified the contraband article as snake venom. Accused and the contraband have been entrusted to Pw9 Forest Range Officer, Kalady as the accused allegedly committed an offence as per the Provisions of Wild Life (Protection) Act. Pw9 prepared Ext.P11 mahazar at the time of taking the accused and the contraband article in her custody. Subsequently she had conducted the investigation. Thereafter Pw12, who was the successor of Pw9, laid Form II Final Report before this court alleging aforesaid offence.



4. On production of the accused copies of the records relied on by the prosecution were furnished to them. Both the accused are duly represented by their counsels. After recording evidence u/s 244 of Cr.P.C charge u/s 51 of Wild Life (Protection) Act was framed against the accused. Charge was read over and explained to the accused, to which they pleaded not guilty. On the side of prosecution Pws 1 to 12 were examined and Exts.P1 to P22 were marked. MO1 to MO4 have been got identified.

5. After the close of prosecution evidence accused were questioned u/s 313 of Cr.P.C in English. They denied the incriminating circumstances and maintained the plea of innocence. Both accused filed written statement u/s 313(5) of Cr.P.C. No defence evidence was adduced.

6. Heard both sides.

7. The points that arise for consideration are as follows:

1. Whether the accused were found in possession of snake venom and they attempted to transport the same by air?
2. Whether the accused have committed an offence punishable u/s 51 of Wild Life (Protection) Act?
3. If found guilty, what is the sentence?

8. Points No.1 and 2: A1 is a citizen of Ecuador and A2 is from Nigeria. Prosecution alleged that both of them travelled from Doha to Cochin and they arrived at Cochin Airport on 25.01.12.. On that day A1 had taken a room at Hotel Excellency situated near the Airport and he checked out on the next day morning. On the said day morning itself A1 again came to the very same hotel along with A2 and they took another room in the name of A2. In the evening both of them checked out and they went to airport to board Jet Airways to Chennai. While the check-in baggages of A1 were verified by the Customs Authorities through X-ray scanner, they entertained a suspicion about the contents therein. They opened the strolley bag of A1. They found a briefcase inside the bag. Pw1 Superintendent of Customs opened and examined the suitcase. On examination he found a pouch in the upper layer of the briefcase. In the pouch he found 16 sachets made out of condoms containing



light cream coloured liquid. On a preliminary testing of the said liquids, it was found to be positive result of narcotic drug. He seized the same as per Ext.P1 mahazar. He has recorded the statement of A1 u/s 108 of Customs Act. As per Ext.P2 statement A1 stated to him that the aforesaid suitcase was entrusted by A2 as he had carried excess luggages. On seeing the interception of A1, A2 fled away from the airport and he board a train from Angamally to Chennai. Later he was apprehended by the Narcotic Squad at Chennai Central Railway Station on the next day morning(27.01.12). In order to ascertain the true nature of the contraband Pw1 sought assistance of all the departments. Pw2, who was the Divisional Forest Officer came to the airport and identified the aforesaid liquid as snake venom. Later Pw9, Range Officer has taken over the investigation. She has collected the samples from each sachets and sent for analysis to National Institute of Interdisciplinary Science and Technology. Along with the samples she also forwarded known venom samples of cobra, King Cobra and Viper to the Laboratory. After analysis by Ext.P14 report Pw10 Scientist opined that there is similarities between the suspected thondy samples and the authentic venom samples.

9. Pw1 was the Superintendent of Customs who detected the offence. Pw2 was the Divisional Forest Officer under whose supervision the forest officials conducted investigation. Pw3 is the owner of Hotel Excellency at Nedumbasserry at whose hotel accused were residing on 25.01.12 and 26.01.12. Pw4 was the Deputy Ranger of Karakkad Forest Station who accompanied the Range Officer(PW9) to airport and assisted her in the matter of investigation. Pw5 is the translator who translated the statement of A1 in Spanish to English. Pw6 and 7 were the Foresiors of Karakkad Forest Station who also accompanied and assisted PW9 in the matter of investigation. Pw8 is the Senior Veterinary Surgeon who collected the samples from 16 sachets. Pw9 was the Forest Range Officer, who conducted the investigation. Pw10 is the Scientist who examined the contraband materials and issued Ext.P14 certificate showing the result of examination. Pw11 was the Forester of Snake Park at Malampuzha who collected the known snake venom sample of Cobra, King Cobra and Viper. Pw12 was the successor of Pw9 who laid Form II final report.

10. Regarding the seizure of contraband article from the possession of accused is

concerned the evidence available is oral testimony of Pw1 and contemporaneous records prepared by him. From his evidence it is seen that on 26.01.12 at about 6.30 p.m at the Domestic Terminal of airport when the check-in baggage of A1 was examined through X-ray scanner the customs officials entertained a doubt about the contents inside the bag. At that time he (Pw1) and other staff examined the strolley bag of A1 and they found a suitcase inside the bag. When the suitcase was further opened they found a pouch hidden inside the upper portion of it. On examination of the pouch they found 16 sachets made of condoms containing a light cream coloured liquid. There was leakage of one among the sachets and therefore they taken it in another container. From the evidence of Pw1 it is further seen that A2 who was the companion of A1 left the airport at the time of intercepting A1. Since Pw1 prima facie came to a conclusion that the said liquid is a narcotic drug, he prepared Ext.P1 mahazar. Similarly he has recorded Ext.P2 statement of A1 with the help of a translator u/s 108 of Customs Act. A1 stated to him that A2 had entrusted the suitcase and he is totally unaware about the contents therein. Subsequently Pw2 Divisional Forest Officer arrived at the airport and he identified the said liquid as snake venom. Later A2 was arrested and he was brought to Airport and his statement was recorded as per Ext.P3. Since the contraband article is relating to a wild animal he has handed over the properties and the accused to Pw9 Forest Range Officer, as per Ext.P11 mahazar.

11. From the evidence of Pw2 it is seen that on 27.01.12 he went to the airport as requested by Pw1 and examined the contraband article. He identified the said liquid as snake venom. Subsequently Pw9 has conducted investigation under his supervision. Both the accused were brought to the Range Office, Kalady. A1 has given Ext.P16 statement before him and his statement has been translated by Pw5. Similarly A2 had given Ext.P17 statement before him. Later on 01.02.12 A2 had given a further statement Ext.P22 before him.

12. Pw3 is the owner of the hotel wherein accused were residing on 25.01.12 and 26.01.12. From his evidence it is seen that on 25.01.12 A1 alone came to his hotel and taken a room till 26.01.12 morning. He checked out on 26.01.12 morning. Subsequently he came along with A2 on the very same morning and they have taken another room in the name of A2. In the evening on the same day itself they checked out that room also. Ext.P20 and Ext.P21 are

guest registration cards of A1 and A2, kept at the aforesaid Hotel and those documents bears their signatures.

13. Pw4 was the Deputy Ranger of Karakkad Forest Station. Pw6 and 7 are the foresters of that forest station. From their evidence it is seen that they accompanied Range Officer (Pw9) to the International Airport as per the direction of PW2 and the accused and contraband have been taken into their custody as per Ext.P11 mahazar. They are the attestors of the said mahazar.

14. Pw5 is the translator who translated Ext.P2 and P16 statements of A1 from Spanish to English. He is a native of Spain. He is a teacher at La Arcadia Institute of Languages at Cherai.

15. Pw8 is the Government Veterinary Surgeon who had collected 16 samples from each sachet as per Ext.P19 mahazar. According to him the samples have been collected in the presence of DFO, Range Officer, other forest officials and accused.

16. Pw9 was the Investigating Officer in this case. She was the Forest Range Officer of Kalady Range. From her evidence it is seen that on 28.01.12 she proceeded to the International Airport as per the direction of Pw2 DFO and had taken custody of the accused and the contraband article after preparing Ext.P11 mahazar. Subsequently she had brought the accused and the contraband article to the Forest Station. At Forest Station she had prepared a detailed mahazar Ext.P18. Subsequently she had collected samples with the help of Pw8 Veterinary Doctor. Later she forwarded the samples to National Institute of Interdisciplinary Science and Technology, Thiruvananthapuram for analysis. The said laboratory reported that for the purpose of analysis known venom samples are also necessary. Subsequently she applied and obtained Ext.P13 Government Order and on the basis of Ext.P13 order she had gone to Snake Park, Malampuzha and collected known venom samples of Cobra, King Cobra and Viper. Later the known venom samples also have been forwarded to the aforesaid laboratory.

17. Pw10 is the scientist who analysed the suspected samples sent for analysis in comparison with authentic known venom sample. From his evidence it is seen that from the initial analysis from appearance and colour the 3 known venom samples are similar to the

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seized articles are snake venom. According to learned counsel for the accused Pw10 scientist had not conducted any accurate test for ascertaining the nature and quality of the samples sent for analysis. He further contended that the method of analysis followed by Pw10 is not a conclusive test to determine the true nature and quality of the sample. In other words Mass Spectrometry Analysis is not a sure test for identifying the snake venom. Therefore he contended that the evidence available on record is totally insufficient to fasten the criminal liability upon the accused. Hence he prayed for an order of acquittal.

22. On consideration of the prosecution evidence and the defences put forward by the accused the first question to be considered is whether the prosecution has succeeded in proving the fact that Pw1 has seized MO4 series liquid (allegedly snake venom) from the possession of A1. Regarding the seizure of MO4 series is concerned the only evidence available is oral testimony of Pw1. He has spoken about the factum of seizure of MO4 series from the baggage of A1. Since he bonafide believed that the said article is a narcotic substance he seized the same as per Ext.P1 mahazar. Ext.P2 is the statement of A1 recorded u/s 108 of Customs Act. As per Ext.P2 statement A1 stated before him that the aforesaid contraband articles have been entrusted by A2 to him. According to him he does not know the contents there in. Ext.P16 is the statement of A1 before DFO. A1 had made the same version to DFO also. On consideration of oral evidence of pw1 coupled with Ext.P1 mahazar, Ext.P2, and P16 statements of A1, it is seen that MO4 series articles have been kept by A1 inside his strolley bag at the time of his departure from Cochin International Airport. It further shows that Pw1 has seized the same as per Ext.P1 mahazar. I don't find absolutely no infirmity in the evidence of PW1 regarding the seizure of MO4 series contraband article from the possession of A1. Thus prosecution has succeeded in proving the fact that A1 was found in possession of M.O.4 contraband article.

23. Now the next question to be considered is whether A2 had any connection with A1 regarding the transport of MO4 series by air. Counsel for A2 contended that A2 had absolutely no connection with A1 and he is no way liable for transportation of contraband article. Prosecution alleged that both A1 and A2 came together in India. Thereafter they were residing together in a hotel in one room. Subsequently when they attempted to depart A1 was

[Handwritten Signature]

samples sent for analysis. The physical state of venom is also similar to the 3 authentic samples. Later he has conducted Mass Spectrometry Analysis and after analysis he found that the Mass value of the suspected sample venom and authentic known samples are one and the same and therefore he came to a conclusion that both articles having similar characteristics and identified to be the same.

18. Pw11 was the Forestor at Snake Park at Malampuzha who collected three known venom samples.

19. Pw12, Forest Range Officer is the successor of Pw9 who laid Form II Report.

20. The defence put forward by the accused is total denial. Learned counsel for first accused contended that A1 had never consciously possessed the contraband article as alleged by the prosecution. He contended that the evidence available on record is totally insufficient in to hold that A1 had attempted to transport snake venom. Learned counsel pointed out that going by Ext.P2 and P16 statements of A1 it is seen that A2 had entrusted the suitcase containing the contraband material as he was holding excess baggages. In both statements of A1, he never confessed before the officials that he had aware about the contents inside suitcase and had consciously possessed the same. Therefore learned counsel for the accused contended that Ext.P2 and P16 statements never incriminate A1. Hence he prayed for an order of acquittal.

21. Learned counsel for second accused contended that there is absolutely no evidence or circumstances in order to come to a conclusion that A2 was found in possession of the contraband article. Learned counsel pointed out that A2 was arrested at railway station in Chennai. At the time of his arrest or thereafter nothing has been recovered from the person of A2. Even according to prosecution contraband article have been found in the bag of A1 at the time of his departure from Cochin. He further pointed out that prosecution has failed to prove any connection between A1 and A2. Similarly there is no legally acceptable evidence in order to come to a conclusion that A2 had entrusted the suitcase containing the contraband article to A1. He further contended that Ext.P3, P17 and P22 statements of A2 do not disclose the fact that he has possessed the snake venom at any point of time. Learned counsel further contended that there is no legally acceptable evidence to prove the fact that the

apprehended at the point of customs and security checking. Immediately A2 left the airport and he board a train to Chennai. Ext.P9 is the passport of A1. As per Ext.P9 passport he arrived at International airport on 25.01.12. Ext.P10 is the passport of A2. From Ext.P10 it is seen that he also arrived at airport on the same day. Ext.P7 is the air ticket of A2. The said air ticket is a computer print out and it has been taken from the Email ID of A2. Therefore Ext.P7 shows the connection between A2 and A1.

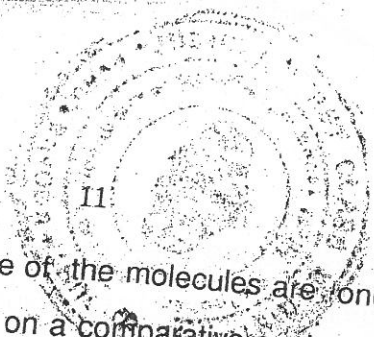
24. Ext.P6 is the joint air ticket of A1 and A2 from Cochin to Chennai in Jet Airways on 26.01.12. Ext.P6 would go to show that both A1 and A2 booked ticket together to go to Chennai. Therefore both of them decided to go together from Cochin to Chennai. Ext.P3 and P17 are statements given by A2 before PW1 And PW2. In both statements he admitted that he came to India along with A1 from Doha to Cochin as requested by another citizen of Ecuador by name Cesor Humero Bustas, for helping A1 as he does not know English. On consideration of the above facts it is seen that A2 has close acquaintance with A1 and they came to India together and subsequently they stayed together at Hotel Excellency on 26.01.12. Further Ext.P6 air ticket would go to show that they intends to travel by air to Chennai together.

25. Now the next question to be considered is whether A2 had any connection with the article which has been seized from the possession of A1. From Ext.P6 air ticket it is seen that both A1 and A2 booked tickets for going to Chennai. Pw1 would say that both A1 and A2 had taken boarding pass from the airport. At the time of verification of the baggages of A1, A2 fled away from the airport. Subsequently he board a train at Angamally railway station to Chennai and he reached there on the next morning. Ext.P4 is the train ticket dated 26.1.20012 purchased by A2 from Angamally railway station to go to Chennai. The above factual circumstance clearly would go to show that A2 was conscious about the contents contained in the bag of A1 and when the customs officials intercepted A1 and verified his luggages, A2 apprehends his arrest. Immediately he escaped from the airport. Therefore A2 is very much aware about the transportation of contraband article and he was also in conscious possession of the MO4 articles along with A1. If A2 had no connection with the seized items, he would not have fled away from airport especially when he already taken the boarding pass. The

subsequent conduct of A2 immediately after the arrest of A1 speaks volumes about his involvement. Hence prosecution has succeeded in proving the fact A2 was also participated with A1 for the transportation of the contraband article.

26. Learned counsel for the accused pointed out that Pw1 prima facie found that MO4 article was identified to be a narcotic substance and therefore he prepared Ext.P1 mahazar and recorded the statement of A1 as per Ext.P2 and he sealed the Material objects. It is not deducible how later he came to a different conclusion that the aforesaid material object is other than a narcotic substance. Without opening the sealed content one cannot identify the material objects contained therein. Learned counsel pointed out that as per Ext.P1 mahazar Pw1 stated that he had sealed material objects on 26.01.12. Therefore the version given by Pw1 regarding the seizure of contraband article cannot be believed. It is true that in Ext.P1 mahazar dated 26.01.12 Pw1 stated that the articles have been sealed. But in his evidence he testified that when he was not quite sure about the nature of the article he had informed the matter to various agencies and forest officials came there and identified the article as snake venom. Thereafter only he had sealed the material objects. From the evidence of Pw2 it is seen that he came to the airport on the next day on 27.01.12 and identified the material objects as snake venom and thereafter only Pw1 sealed the material objects. The inconsistency pointed out by the learned counsel for the accused is though there in Ext.P1 mahazar, it is not at all crucial considering the facts and circumstances in this case. Pw1 has prepared Ext.P1 mahazar as usual on the supposition that the material objects would come under the provisions of customs act. But later only he realised that the seized articles may not come under that Act. Therefore the mere statement in Ext.P1 mahazar regarding the fact that he had sealed the article on 26.01.12 does not in any way affect the credibility of the oral testimony of Pw1.

27. Learned counsel for the accused further pointed out that the method of analysis followed by Pw10 is not a conclusive and it was based on mere speculation. From mass spectrometric machine one can obtain the mass value of the molecules. If two different molecules having same mass the result will be same. In the instant case Pw10 has analysed the known authenticated samples and the suspected samples through the mass



spectrometric machine. Since the mass value of the molecules are one and same he came to a conclusion that both articles are same on a comparative analysis. Learned counsel for the accused pointed out that the mass spectrometric machine cannot differentiate between two different things of same mass value. Therefore the possibility of error is there in the analysis through mass spectrometric machine. The above argument of the learned counsel for the accused is wholly unsustainable. The possibility of similarity of molecule of one element with another is too remote. Snake venom is a complex combination of proteins and enzymes. It is not possible to create another artificial material having same molecular structure. More over it cannot be inferred that Pw1 or any of the forest officials have artificially created another material to match with known Venom sample. Therefore the argument contrary advanced by the learned counsel for the accused is wholly unsustainable.

28. Learned counsel for the accused pointed out that as a matter of fact both accused have not given any confession statements before the customs officials or any forest officials. So called statements do not contain any admissions of their guilty. Therefore the statements recorded as per Ext.P2, P4, P16 and 17 have to be excluded from consideration. It is true that accused have not made any statements to the effect that they have possessed snake venom. knowing fully well that the said materials are as such. It is also true that the statements of A1 is contradictory to the statements of A2. But on certain facts the statement given by the accused is corroborated with other evidence produced by the prosecution. Ext.P3, P17 statements of A2 revealed the fact that he has acquaintance with A1 and they travelled together from Doha to Cochin and stayed in one room at Hotel Excellency. It is further proved the fact that they together taken ticket to Chennai and taken the boarding the pass for entry into departure terminal. Similarly Ext.P2, 16 statements of A1 would go show that A2 entrusted the briefcase containing the contraband articles. Therefore statements of accused to some extent corroborates the prosecution case.

29. Learned counsel further pointed out that prosecution has alleged violation of Sec.39 and 44 of the Wild Life Protection Act. Sec 44 of the Act is dealing with prohibition of dealing of animal articles without license. The snake venom is not an animal article as defined u/s 2(ii) of the Act. Therefore criminal liability for Sec.51 of the Act is not applicable. The

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above argument of the learned counsel for the accused is not sustainable. Sec.44(1)(c) of the Act prohibits dealing of snake venom also. Snake venom is a separate item apart from animal article dealt in Sec.44 of the Act. If there is any violation of Sec.44 in respect of Snake Venom accused has to visit penal liability u/s 51 of the Act. Therefore the argument of learned counsel for the accused in that respect is not sustainable.


30. On consideration of the evidence available on record. I am of the view that prosecution has succeeded in proving the fact that MO4 properties are snake venom and both accused have attempted to transport the same by air. Therefore they are guilty of offence punishable u/s 44 R/W 51(1) of the Wild Life Protection Act. Points No.1 and 2 are found in favour of prosecution.

31. Point No.3: In view of the discussions made above I have already held that accused are guilty of offence punishable u/s 51(1) of the Act. This is not a fit case to invoke the benevolent provisions of Probation of Offenders Act in favour of accused. Hence I proceeded to hear the question of sentence.

Dictated to the Confidential Assistant, transcribed by her, corrected and pronounced by me in open court, this the 23rd day of October, 2013.


Judicial Magistrate of I Class-I

32. I have heard the question of sentence of accused. Learned counsel for the accused prayed for a lenient view in the matter of imposition of sentence. I have considered all facts and circumstances in this case. Both the accused are in custody from 28.1.2012 onwards. The offence committed by the accused is very serious in nature. Both accused are foreign nationals and they came to India for the purpose of collecting snake venom. They have collected snake venom in large quantity for the purpose of illegal exporting. The object of the legislation is to protect the endangered species from their extinction. Therefore if there is any violation of the provisions of the Act, severe penalty has to be inflicted. Considering the object behind the legislation substantive sentence of imprisonment is highly necessary in order to meet the ends of justice. Moreover accused have committed offence in respect of animals which come under schedule one Part 1 and 2 of the Act. Therefore as per proviso to Sec.51(1) of the Act there shall be a minimum sentence of imprisonment of 3 years and fine of





ten thousand rupees is necessary.

33. In the result:

1. Both accused are found guilty of offence punishable u/s 51(1) of the Wild Life Protection Act.
2. Both accused are sentenced to undergo Rigorous Imprisonment for a period of Three Years and to pay a fine of Rupees 10,000/- each.
3. In default of payment of fine amount accused shall undergo simple imprisonment for a period of three months each.
4. Both accused are entitled for set off u/s 428 of Cr.P.C. from 28.1.2012 to till date.
5. MO1 and 2 shall be returned to A1 after the expiry of period of appeal.
6. MO3 and 4 shall be destroyed after the expiry of period of appeal.
7. Ext.P9 passport shall be returned to A1 after expiry of period of appeal and on production of certified copy of the same.
8. Ext.P10 passport shall be returned to A2 after expiry of period of appeal and on production of certified copy of the same.

Judicial Magistrate of I Class-I

APPENDIX.

Witness for Prosecution

Pw1	:	C.D. Jose dated 29.11.12
Pw2	:	B.N. Nagaraj dated 13.12.12
Pw3	:	Alias dated 31.01.13
Pw4	:	B. Asokan dated 31.01.13
Pw5	:	Jose Luis Peraz dated 14.02.13
Pw6	:	C.S. Ramakrishnan dated 14.02.13
Pw7	:	Roy Mathew dated 14.02.13
Pw8	:	Dr. Salim dated 28.02.13
Pw9	:	Sreelekha dated 14.03.13
Pw10	:	Dr. Ravi Sankar dated 14.03.13
Pw11	:	Jayakumar dated 10.04.13
Pw12	:	Saseendran dated 10.04.13

Exhibits for Prosecution

Ext.P1:	Mahazar dated 26.01.12
Ext.P2:	Statement of A1 dated 27.01.12
Ext.P3:	Statement of A2 dated 28.01.12
Ext.P4:	Train Ticket dated 26.01.12
Ext.P5:	Boarding Pass dated 22.01.12
Ext.P6:	Computer printout of air ticket
Ext.P7:	Copy of Gmail eTicket Receipt dated 20.01.12
Ext.P8:	Privilege club card of Qatar airways
Ext.P9:	Passport of A1

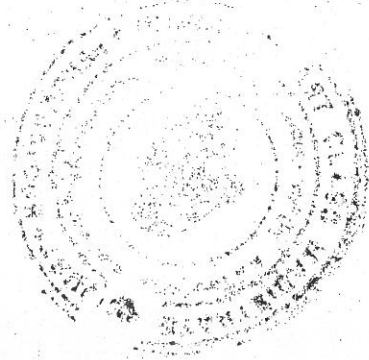
Ext.P9(a) :Page 7 of P10
 Ext.P10 :Passport of A2
 Ext.P10(a) :Page 7 of P10
 Ext.P11 :Mahazar dated 28.01.12
 Ext.P12 :Form I Report dated 28.01.12
 Ext.P13 :Government order dated 31.03.12
 Ext.P14 :Analysis Report dated 19.07.12
 Ext.P15 :Mahazar dated 16.04.12
 Ext.P16 : Statement of A1 dated 31.01.12
 Ext.P17 : Statement of A2 dated 31.01.12
 Ext.P18 : Mahazar dated 01.02.12
 Ext.P19 : Mahazar dated 01.02.12
 Ext.P20 : Guest Registration Card of A1
 Ext.P21 : Guest Registration Card of A2
 Ext.P22 : Statement of A1 dated 01.02.12

Witness and Exhibits for Defence

NIL

Material objects marked

MO1 : Carrier bag
 MO2 : Brief Case
 MO3 : Pouch
 MO4 series : 16 bottles



Judicial Magistrate of I Class-I.

TRUE PHCTO COPY
 BY ORDER

JUNIOR SUPERINTENDENT