

**State of TN Vs. Kumar & others  
In the Court of Principal Sessions Judge, Chennai**

1. Sanju is a 12 years old school Girl studying in 7<sup>th</sup> std in Model School, Anna Salai, Chennai. She belongs to a middle class family. Father is a clerk in a private firm and mother a housewife. Sanju is good-looking and well groomed. She is very friendly with Rakhee, her classmate whose mother is a former actress and elder sister a model.
2. Rakhee influences Sanju and get her agreed to act along with her in a television serial. Though Sanju's parents were very reluctant initially, they yielded to the pressure exerted by Rakhee and Sanju. The tele-serial story depicts the travails of a middle class family after their teen-age daughter (played by Sanju) elopes with a neighborhood boy.
3. Rakhee commutes to school by car. Sanju uses public transport. After a few days, many in the area knew about Sanju and especially adolescent boys teased her all the time. The common refrain of the boys was "come on let us run away". Sanju felt very bad and regretted her decision and became very quiet and spent lot of time in solitude at home. The atmosphere at home was also very grim as the entire family felt that the neighbors were avoiding them and started believing that they talked behind their backs. Even in School she mostly kept to herself and stopped talking to many of her friends.
4. On 21 July 2008, when Sanju was standing in the bus stop at Anna Salai while returning from school, a few boys started teasing her. Sanju felt uneasy and started walking away from the bus stand. There were some discussion among the boys and two of them Kumar and Kadim took a motorcycle and came behind her shouting Hello... Sanju was scared and dropped her books and started running in frenzy, blabbering and waving her hand in the middle of the road. The duo also followed her shouting "Stop". A lot many people on the road witnessed this. A bus was just behind her sounding the horn loud. To avoid the boys she turned and at the same time leapt across to the middle of the road. In an instant she was hit directly by the bus and was thrown away. She hit the metal median and died instantly.
5. The boys seeing that she was thrown away, got scared and fled the scene. The boys at the bus stand also left in another motorcycle.
6. On receiving information from the bus driver, the police arrived.
7. Enquiries were conducted by Inspector Gopal, D2 Police Station, Anna Salai.
8. The bus driver emphatically said that the girl jumped in front of the bus.
9. A woman who was on a scooter, which narrowly missed hitting her, also confirmed that she was acting like a mad woman and blabbering loudly incoherent things.
10. Sanju's friend Nitya had noted down the motorcycle number and gave description of the boys who went after her. She also gave description of the three boys who teased her at the bus stop. She also said that this was not the first time that they did so. The boys were earlier caught and reprimanded by the police for eve teasing. She told that Sanju cried and said, "I feel ashamed and depressed. I have made a big mistake. Nowadays I am not able to face my relatives and even my friends" and also said, "I no longer can bear this humiliation and feel like committing suicide".

11. On the basis of the enquiries the police arrested 3 boys Kumar, Kadim and Kenneth and produced them before the magistrate who remanded them to judicial custody. The motorcycle, which Kumar rode, was also taken into custody. On questioning Kadim, and Kenneth accepted that they teased her but they did just that and rest of the happenings was just an accident that was beyond their control.
12. Kumar, who followed Sanju in the motorcycle, said that he did not tease her but went after her to apologise for the act of his friends. Kadim also affirmed the statement and he said he also felt bad and had accompanied Kumar on the motorcycle only for that purpose. Ashwin, friend of Kumar, who was not part of the group, was talking to another person at the bus stop. The motorcycle belonged to him. Aswin told the inspector that Kumar had asked for the motorcycle only to go and apologise to Sanju. He had also told him earlier that he felt very bad when she saw her crying and felt sorry for the girl when everybody teases her.
13. Kumar, Kadim, and Kenneth were charged under section 305 & 506 (ii) read with section 34 of IPC.

#### Witnesses

1. Bus Driver
2. Nitya
3. Kumar's friend Aswin
4. The woman in the scooter
5. Medical forensic expert

#### List of material evidence

1. 4 sets of blood stained clothes
2. Some books
3. Tiffin box (empty) as she is returning from school
4. School id card showing her class and age

#### List of Documents

1. Map of the scene of crime
2. Statements of people Nitya, Kumar and the women in scooter obtained by police officer (Sec 161 of Cr.Pc.)