

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (CRL.) NO. 516-522 OF 2025

IN THE MATTER OF:

STATE OF KARNATAKA

...PETITIONER

VERSUS

SRI DARSHAN ETC.

...RESPONDENTS

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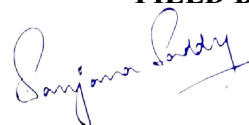
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1.	Additional Written Submissions on behalf of the the Respondent No. 5			
		TOTAL		

Name of Clerk: Shiwang Kumar

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Dated: 31.07.2025

Place: New Delhi

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**ADDITIONAL WRITTEN SUBMISSIONS ON BEHALF OF THE
RESPONDENT NO. 5**

PAPER BOOK

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ADVOCATE ON RECORD FOR RESPONDENT NO.5

SANJANA SADDY

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**IN THE SUPREME COURT OF INDIA
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IN THE MATTER OF:

State of Karnataka

...Petitioner

Versus

Sri Darshan Etc.

...Respondents

Additional Written Submissions on behalf of Ms. Sanjana Saddy, Advocate-on-Record for the Respondent No. 5 / Accused No. 1

I. Even as per the case of the Prosecution, the Accused No. 1 was a victim of sexual harassment at the hands of the deceased and the only allegation is of disclosure of the said harassment to Accused No. 3

1. As per the case of the Prosecution, the deceased sent vulgar and obscene messages and images to the Accused no. 1 including images of private parts of the deceased.
2. As per the case of the Prosecution, the Accused No. 1 informed the Accused No.3 about the harassment at the hands of the deceased.
3. The Prosecution has not been able to set up any case of Criminal Conspiracy whatsoever against the Accused No.1. There is no connection drawn by the Prosecution between the Accused No. 1 and the other Accused Persons.
4. There is nothing to support the bald allegations which are the basis of the Prosecution's case accusing the Accused No.1 of hatching of a conspiracy to kidnap and murder the deceased. In this regard, it is humbly submitted that:
 - a. Alleged call records of the Accused No. 1 [@pg. 544 of the SLP/PDF Pg. 582 of the Court Record] in no manner aid the bald allegations of conspiracy against the Accused No.1. It is the case of the Prosecution that Accused No. 3 is the Househelp/ Cook/ House staff of the Accuse No. 1. Therefore, while the Petitioner has sought to impress upon the court that 55 calls were allegedly made by the Accused No. 1 to the Accused No. 3, it failed to point out that the 55 calls were allegedly placed over a period of 6 days. A daily average of 9 calls per day to an alleged house help in no way proves to be evidence of a criminal conspiracy to kidnap and murder. Rather, the alleged records show that consistently the very same number of calls were made between Accused No.1. and Accused No. 3 on every other day. Even as per the alleged call records produced by the Petitioner,

the Accused No. 1 has had no communication with any of the Accused Persons who allegedly kidnapped the deceased.

- b. The alleged statement of the prosecution witness CW-85, Mrs. Samatha Reddy [Pg. No. 97 of IA No. 96159 of 2025/ PDF Pg. No. 1826 of the Court Record] relied upon in the Chargesheet, without prejudice, only reaffirms that the Accused No. 1 had no involvement in the alleged crime and was allegedly only called to the purported shed so the deceased could apologize to her for the harassment. [Pg. No. 99 of IA No. 96159 of 2025/ PDF Pg. No. 1828 of the Court Record]
- c. As per the statement of the eyewitness Puneeth L.G CW-91 [@pg. 475 of the SLP/PDF Pg. No. 513 of the Court Record] and Kiran CW-76 [@pg. No. 492 of the SLP/PDF Pg. No. 530 of the Court Record] the only allegation against the Accused No.1 is that she allegedly came to the shed after 4 30pm and allegedly slapped the deceased with her slipper and was thereafter was asked to sit in the car and was driven home by the said eyewitness himself. That the statement of the CW-85 alleges that the Accused No. 1 called CW-85 at 5 30 pm to inform her that she was back home. That the said statements show no involvement of the Accused No.1 in the alleged kidnapping and murder of the deceased.
- d. As per the case of the Petitioner, the fatal blows were inflicted only after the Accused had left the Shed and after it was discovered that the deceased was sending vulgar and obscene messages to several females on social media. Therefore, the Accused No. 1 is not placed at the alleged scene of crime at the time the alleged crime is committed.
- e. There are material inconsistencies in the statement of the eye-witness Mr. Kiran CW-76 made under Section 161 [@pg. No. 489 of the SLP/PDF Pg. No. 527 of the Court Record] and 164 [@pg. No. 492 pf the SLP/PDF Pg. No. 530 of the Court Record] of Cr. P.C. No verbal threat or utterance attributed to the accused No. 1 by CW-76 in his 164 statement.

II. No exceptional circumstances exist to cancel the bail granted to Accused No. 1 who is a female accused

- 5. This Hon'ble Court in *Satender Kumar Antil v. Central Bureau Of Investigation And Another*, 2022 INSC 690 (Jul 11, 2022) has held that in view of Section 437, in a case pertaining to women the court is expected to show some sensitivity.
- 6. In *Ramnivash v. State of Rajasthan*, 2024 SCC OnLine SC 89, this Hon'ble Court has not interfered with Bail granted by the High Court to a female accused

notwithstanding the fact that it was a case of triple murder, having regard to the fact that the accused was a female and her specific role in the incident is somewhat varying amongst the witnesses. No action with arms was attributed to the accused in the said case, as is also the position in the present case.

7. As is well settled that cancellation of Bail is a harsh measure and should not be lightly resorted to.

III. Admittedly no injuries are attributable to the Accused No. 1

8. It is not even the case of the Petitioner that any of the injuries as per the Post Mortem Report [Page 145 of the SLP] are attributable to the Accused No. 1.
9. On a demurrer, even as per the statement of the eyewitness, fatal blows were inflicted only after the Accused No. 1 had left.

IV. The Accused No. 1 is a single parent and the sole caregiver and primary caretaker to her daughter who is in 10th Class

10. Accused No. 1 is a single parent and the sole and primary caregiver to her daughter who is in 10th class and is due to appear for her board exams this year.
11. Accused No. 1 is a fashion designer and runs a studio to sustain the financial needs of her dependent daughter and ageing and dependent parents.

V. The Accused No. 1 has no antecedents and has a clean background

12. Accused No. 1 is a law abiding citizen. She has no criminal antecedents and has not been involved in any criminal matter prior to the present case.

VI. Record shows that no grounds of arrest were served upon the Accused No. 1 in writing at the time of arrest i.e. 11.06.2024 and till as late as 20.06.2024.

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