

ITEM NO.29

COURT NO.12

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (CrI.) No(s). 5403/2024

[Arising out of impugned final judgment and order dated 30-05-2023 in CRLA No. 1610/2017 passed by the High Court of Karnataka at Bengaluru]

THE STATE OF KARNATAKA

Petitioner(s)

VERSUS

RANGARAJU @ VAJAPEYI

Respondent(s)

(IA No. 87170/2024 - EXEMPTION FROM FILING O.T.)

Date : 04-02-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) : Mr. Aman Panwar, A.A.G.
Mr. V. N. Raghupathy, AOR
Mr. Shivansh Saxena, Adv.
Mr. Anuj Sehrawat, Adv.
Ms. Mythili S, Adv.

For Respondent(s) : Mr. Krishna Pal Singh, AOR
Ms. Anvita Aprajita, Adv.
Mr. Mohan Singh Bais, Adv.
Mr. Seemab Qayyum, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The respondent is an accused in a case punishable under Sections 302 and 376 of the Indian Penal Code under charges of rape and murder, for which he faced trial.

The High Court has partly allowed his appeal for the reason that although the conviction for murder under Section 302 IPC is made out for which, the sentence of Life Imprisonment has been imposed, but no offence of rape is made out since the rape was

committed on a dead body and since Necrophilia, not being an offence, the respondent could not have been convicted for rape.

Since nothing has been shown to this Court that Necrophilia is an offence, we see no reason to take a different view than the High Court. The Special Leave Petition is, accordingly, dismissed.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR