

Kochi man gets life imprisonment for stabbing neighbour boy 28 times in 2016

Aji Devassy, 40, of Ponnassery House, who resides in Pullepady was found guilty and sentenced to undergo life imprisonment and a fine of Rs 25,000.



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By Express News Service

KOCHI: Three-and-a-half years after a 10-year-old boy was killed in one of the most gruesome murders that Kochi has ever witnessed, the Additional Sessions Court on Friday awarded life imprisonment to the accused Aji Devassy, a 40-year-old native of Kochi.

Devassy of Ponnassery House, who resides in Pullepady was found guilty and sentenced to undergo life imprisonment and a fine of Rs 25,000.

On April 26, 2016, Risty, son of Lini and John while returning from a grocery shop, was mercilessly stabbed 28 times by Devassy, their neighbour. Even though the accused walked off from the crime spot, residents caught him and handed over to the police. The victim, a fifth standard student of St Albert's School in Kochi, died before he could be brought to the nearby hospital. Though initially it was claimed that Aji was mentally unstable, the police could find that the accused was a severe alcoholic and a drug addict.

On Friday, before the sentence was announced, Devassy submitted that he did not murder the boy deliberately. The prosecutor Bindhu PA, on the other hand, demanded a death sentence as it was the most gruesome act by the accused. "The facts of the case in hand do not come within the ambit of 'rarest of rare' case. Therefore normal sentence of life imprisonment for the offence of murder will meet the ends of justice," Additional Sessions Judge P J Vincent noted in the judgement.

The court ordered that fine amount realised by the accused should be provided to the victim's family. Similarly, compensation should be given to the family under section 357-A of Crpc and Kerala Victim's Compensation Act 2014. A directive was given in this regard to the District Legal Service Authority (DLSA).

One of the key contention in the case was that accused Aji has an unsound mind and should be exempted as per IPC section 84. However, the court after examining doctors and witness ruled out any exemption under IPC section 84 to the accused. Before the murder, Aji underwent treatment at Thrissur Mental Health centre. In February 2016, a medical board was constituted to assess the mental condition of Aji. The board found that he was not suffering from any mental illness. He is capable of understanding the nature and consequence of the act. The abuse of alcohol, cannabis, IV injections and heroin was the reason for mood change in him.

Apart from it, the court also noted that he had concealed the knife while proceeding towards the victim before stabbing him. According to the court, the concealment of the weapon explained that Aji was sane and knew that what he was going to do to the boy was against the law.

"From the analysis of the whole material let in from the part of prosecution and the accused coupled with the legal principles, the ensuing corollary is that the accused was not suffering from legal insanity at the time of stabbing of the boy and he is not entitled to benefit from the general exception contained in section 89 of IPC," the court observed.

The accused was later shifted to Central Prison, Viyyur in Thrissur.

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