

Damning evidence sealed Bhagat's fate in McLaughlin murder case

Judgment reveals chilling details of the 2017 rape-murder; prosecution proves its case beyond reasonable doubt through combination of last-seen theory, forensic evidence, and recovery of articles

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MARGAO: In a detailed 350-page judgment, the South District and Sessions Court meticulously pieced together the circumstantial evidence that led to Vikat Bhagat's conviction in the rape and murder of British-Irish tourist Danielle McLaughlin. Judge Kshama Joshi's observations revealed a disturbing pattern of violence and attempts to conceal the crime.

The court strongly rejected the defense's argument of consensual relations, making significant observations about consent that could have far-reaching implications in sexual assault cases. Judge Joshi emphasized that intoxication cannot be an excuse in cases of rape and that if a woman is intoxicated, she is not mentally capable of giving free and conscious consent. The court stated that "not every 'yes' is covered under valid consent," highlighting that under Section 375 of the IPC, the definition of rape includes acts committed "against her will" and "without her consent." Witness testimonies confirmed that McLaughlin was intoxicated, with the court concluding that her condition rendered any apparent consent invalid.

Medical evidence played a crucial role in establishing the violent nature of the crime. The post-mortem examination revealed 31 external injuries on McLaughlin's body, with the court noting they were "caused by blunt force impact and were ante-mortem in nature." The presence of injuries in the genital areas of both the victim and



Court sources said Bhagat seemed unbothered and without remorse on being convicted for the brutal rape-murder

the accused, along with nail scratches, convinced the court there was "force used and resistance from the victim."

The judgment meticulously detailed how the prosecution built its case through multiple strands of evidence. Three key witnesses—identified as PW10, PW12, and PW13—provided crucial testimony about seeing McLaughlin with Bhagat in an intoxicated state. The court found their testimonies particularly significant as they established the "last seen" theory, placing McLaughlin with Bhagat before her death.

The court painted a chilling picture of attempts to hide the crime. "The body was found in a nude condition without clothes, which shows the clothes were intentionally removed to prevent identification," Judge Joshi observed. "The face of the victim was smashed to hide her identity." The medical examination re-

vealed more disturbing details, including "black brownish particles under surface and nail beds" and "dry blackish stains present around anus and genitals."

A key aspect that sealed Bhagat's fate was the recovery of evidence. The court noted how pieces of crucial evidence connected him to the crime scene—broken spectacles, with one piece at the scene and another in a bag recovered from him; a torn bra with pieces found both at the scene and in his possession; and glass pieces with blood stains. "There is no explanation as to how the black bag of the victim came in possession of the accused," the court observed.

The judgment dismissed claims of evidence being planted, noting that the accused's clothes, found hidden under coconuts in his home's storeroom, "cannot be in the possession of police." DNA evidence

KEY OBSERVATIONS

■ Rejecting the defence's argument about consensual sex, the judge said that intoxication cannot be an excuse in cases of rape - if a woman is intoxicated, she is not mentally capable of giving free and conscious consent

■ The presence of injuries in the genital areas of the victim and the accused, along with nail scratches, convinced the court there was force used amid resistance from the

victim

■ The victim's clothes were intentionally removed and her face was smashed to prevent identification

■ DNA evidence and McLaughlin's belongings that were recovered from Bhagat strengthened the case

■ Judge rejects plea for leniency citing Bhagat's age of 24; says crime and cover-up too serious for any leniency

further strengthened the prosecution's case, with the court rejecting arguments about potential contamination due to delays in examination. The court specifically noted that the Central Forensic Science Laboratory (CFSL) in Hyderabad, which conducted the DNA tests, had proper preservation facilities, and all samples were received with seals intact.

The prosecution successfully established what the court called a "chain of circumstances" linking Bhagat to the crime. Public Prosecutor Korgaonkar effectively argued that if Bhagat truly had a friendly relationship with McLaughlin, as claimed, his actions were inexplicable. "A person having a relationship and who was supposed to get married would see to it that the girl in such a condition is taken and kept in a safe place," the court agreed.

The court also addressed the question of motive, noting that while motive acquires great significance in circumstantial evidence cases, its absence alone cannot lead to acquittal.

The judgment observed that the motive could be derived from circumstances—the accused's actions suggested he committed the murder to prevent the victim from disclosing the sexual assault.

While the defense pleaded for leniency, citing Bhagat's young age of 24 at the time and his eight years in custody during the trial, the court found the crime too serious for any leniency. Judge Joshi noted that leaving the body in the open and attempting to destroy evidence to hide the identity of a foreign national warranted deterrent punishment.

The judgment concluded that the prosecution had proved its case beyond reasonable doubt through a combination of last-seen theory, forensic and medical evidence, and recovery of articles. The court ordered Bhagat to undergo rigorous imprisonment for life and pay fines totalling Rs 60,000 for the combined offenses of murder, rape, and destruction of evidence, with all sentences to run concurrently.

Unpaid for 8 months, SHG women slam outsourcing of school mid-day meal

Threaten to take to the streets in protest if govt fails to clear their dues by Friday

Team Herald

MARGAO: Women from various self-help groups (SHGs) engaged in the Mid-Day Meal Scheme voiced their anguish over the non-payment of their dues for the last eight months, and the government's decision to replace them with Akshay Patra.

They met Fatorda MLA Vijai Sardesai on Tuesday, urging him to take the matter to the government. Sardesai warned that an agitation would be launched if the payments are not cleared by Friday.

The group highlighted that they had not received payments for the past eight months, with some accusing the government of undermining Goan women entrepreneurs. Sardesai also stressed that there is no need to bring in outsiders, given Goa's reputation for providing high-quality food.

Kranti Kunkoliekar, a member of the SHG, spoke to reporters and expressed frustration over the situation. She explained that no payments have been made for months, making it difficult for them to continue providing mid-day meals. "We are being told that there are no funds to pay us," she said. "When we asked about our dues, we were informed that an outside agency had taken over. We are asking for our payments on time. Goan women are more than capable of handling this service."

Reacting to the issue, MLA Vijai Sardesai condemned the government's actions, noting that the mid-day meal movement was initially designed to empow-

“We are being told that there are no funds to pay us. When we asked about our dues, we were informed that an outside agency had taken over. We are only asking for our payments on time. Goan women are more than capable of handling this service”
— Kranti Kunkoliekar, self-help group member

“If you want quality, you have to pay more. The government has neither paid these women for months nor clarified how many schools will be assigned to Akshay Patra, and at what cost. This is public money, there must be transparency and accountability”
— Vijai Sardesai, Fatorda MLA

er women. "If you want quality, you have to pay more. The government has neither paid these women for months nor clarified how many schools will be assigned to Akshay Patra, and at what cost. This is public money, and there must be transparency and accountability," said GFP Chief Sardesai.

He alleged that the government's focus on outsourcing the service under the guise of quality was an attempt to sideline local groups. "The government has yet to clarify how much will be paid to outside agencies. If this issue isn't resolved soon, our party will take to the streets in protest. Right now, it seems the government is anti-Goan," Sardesai concluded.

Aquem Sarpanch ousted by vote

Team Herald

MARGAO: Opposition panchas from the Aquem-Baixo village panchayat voted out Sarpanch Florinho 'Danny' Fernandes after a no-confidence motion was tabled against him. At a special meeting, from the eight panchas who were present, five panchas voted in favor of the motion, while three panchas opposed it, hoping to allow Florinho to continue in his position.

The no-confidence motion was

initiated by a group of five panchas—Inacio Dias, Pooja Naik, Avinash Sardesai, Natasha Dias, and Amisha Tile. In their petition, they accused the Sarpanch of lacking transparency and accountability in the functioning of the panchayat. They also cited concerns over the fair allocation of resources, decision-making processes, and open communication with both panchayat members and the public. Florinho had been elected as the Sarpanch in August 2024.

Traffic chaos as old Mandovi bridge closure brings gridlock to Panjim's doorstep

UPENDRA NAIK



Team Herald

PANJIM: Intense traffic congestion is being witnessed on the second Mandovi bridge due to the untimely closure of the Nehru Bridge (old Mandovi Bridge).

The Goa Board had asked the students to leave early, and as much as possible, to take the Atal Sethu, so that they can reach the examination centres on time. However, two-wheelers aren't allowed to ply on the high-level bridge.

Some students told **OHERALDO** that they leave early to reach the exam centre at 8.45 am, even as the Class XII examination starts at 9.30 am. The old Mandovi bridge has been closed due to maintenance work. It will remain closed for 15 days. "Maintenance of bridges is absolutely needed for the safety of commuters but it appears that the work has been undertaken at a wrong time. The reason is because during this time the class XII examinations are go-

ing on, and its a stressful situation for kids to be stuck in traffic in the mornings," said a commuter from Porvorim.

Motorists experiencing long queues and gridlock at the junction where the old and new Mandovi bridges merge, with hundreds of vehicles stuck in a bottleneck, has become a daily affair.

However, the Traffic Cell of Goa Police has urged all motorists—except two-wheelers—traveling from Porvorim towards Ponda, Bambolim, and South Goa, and vice versa, to use the Atal Sethu to reduce congestion on the New Mandovi Bridge.

The bridge was supposed to close earlier but it was postponed due to the Winter Session of Goa Legislative Assembly session.

The bridge will now remain closed till February 23, 2025. The maintenance work includes resurfacing the bridge with asphalt, installing safety measures, and painting under the NH-66 Annual Plan 2023-24.

Sewage pollution hearing on Tuesday

Team Herald

MARGAO: The High Court adjourned the hearing in connection with the sewage and wastewater contamination of River Sal and Salpam Lake, to next Tuesday, after the Sewerage and Infrastructural Development Corporation of Goa Limited (SIDCGL), requested more time.

The petitioner, professor Antonio Alvares informed the court that the situation hasn't improved at all and warned that unless the Margao Municipal Council uncovers all gutters, it will not be known who is releasing sewage underground into the gutters. The Amicus Curae who inspected Margao storm water drains last week informed the court that she would be submitting her report next Tuesday.

She also complained about unabated pollution coming from the SGPDA fish market in Margao.

After Sarzora, Sao Jose de Areal villagers oppose railway station

Team Herald

MARGAO: The Sao Jose de Areal panchayat has strongly opposed the proposed railway station in their village, citing concerns over environmental damage, loss of agricultural land, and threats to their way of life. A special Gram Sabha meeting was held, where villagers voiced their opposition, calling the project unnecessary and harmful to the predominantly agrarian community.

Residents argued that the railway station would destroy water bodies, green spaces, and disturb the peace in a village where Scheduled Tribe (ST) communities and farmers rely on agriculture. They pointed out that the village has already lost significant land to two existing railway lines and the Margao Industrial Estate. Additionally, they highlighted safety concerns, with frequent accidents involving humans and animals along unprotected tracks.

The proposed station would be located just 500 metres from the South Western Railway line and 2 km from Margao Railway Station, raising questions about its necessity.

Villagers at the gram sabha said they fear increased noise pollution, traffic



Gram Sabha members raised issues related to deteriorating village roads, damaged culverts, and worsening air and noise pollution due to heavy industrial traffic. They said the village's water supply infrastructure, including a 1200mm MILD water pipeline, has already been affected by past developments

congestion, and an influx of migrants, which could impact security and local demographics.

The panchayat also expressed concerns over the station's proximity to two schools and a college, warning of potential risks to students. They urged authorities to reconsider the project to protect the village's environment, heritage, and agricultural livelihood.

TIDAL TREASURES

UPENDRA NAIK



A carpet of seashells, swept ashore by the tides, creates a stunning and hypnotic natural mosaic on Siridao beach

Power cabling set to go underground in Macasana

Team Herald

MARGAO: Residents of Macasana are optimistic about receiving an uninterrupted power supply as the project to strengthen the local power network through underground electrical wiring commences on Tuesday.

The initiative, expected to improve the reliability and safety of electricity services, has been welcomed by both locals and political representatives alike.

Local MLA Yuri Alemiao voiced his support for the project, stating that it would provide significant relief to the residents. He confirmed that the existing 10 transformers in Macasana will be upgraded from 100 KVA to 200 KVA, while two new transformers will be installed—one in Mod-sai and another in Sorla.

"This work is expected to be completed by April 2025, and once completed, there will be no power cuts during the monsoon. The underground wiring technology will ensure a safe and reliable electricity supply, benefiting the people of Macasana," Alemiao said.

The MLA emphasized that addressing the basic needs of Cuncolim's people was his priority, which is why he pushed for underground electrical cabling in the area. He explained that incidents of tree falls on overhead wires during the rainy season often result in power disruptions, but this new project will prevent such issues in the future.

Alemiao assured the residents that once the underground cable network is fully installed, they will not face similar power problems for at least the next 30 years. He urged the public to be patient and bear with any inconvenience caused by roadwork during the installation process, adding that all affected roads will be properly repaired after the work is completed to ensure smooth vehicular movement.

Benaulim man to lead Carnival float parade as King Momo

Team Herald

PANJIM: The Department of Tourism has selected **Cleeven Mathew Fernandes** as this year's King Momo for the Carnival float parade.

Hailing from Benaulim, Fernandes was chosen from a total of four applicants after a screening process. The judging panel, comprising representatives from the Panjim, Margao, Mapusa, and Vasco Carnival Committees, along with Director of Tourism Kedar Naik and Managing Director of GTDC Kuldeep Arolkar, selected the King Momo based on personality, communication skills, and presentation. GTDC General Manager Gavin Dias, Deputy General Manager Deepak Narvekar, Assistant Director of Tourism Jayesh Kankonkar, and others were also present on the occasion.

Scheduled from February 28 to March 4, the grand festivities of Goa Carnival 2025 will feature vibrant float parades, lively music, captivating performances, and a celebration of Goa's unique cultural heritage, drawing thousands of tourists and participants.

