

IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS AT
HUSNABAD.

Present: Sri P. PRADEEP NAIK, B.A., LL.M.,
Judicial Magistrate of First Class, Husnabad.

Friday, this the 03rd day of July, 2015.

C.C. No. 78 OF 2014.

Between: -

State of A.P. through the Sub Inspector of
Police, Husnabad.
(Cr. No. 12/2014 of P.S. Husnabad)

... Complainant.

// AND //

Kondeti Venu, S/o. Narsaiah, 22 years, S.C. Madiga, R/o. Sanjeevaiah Colony,
Husnabad.

... Accused.

This case is coming on before me for final hearing on 23-06-2015 in the presence of Circle Inspector, for Prosecution and of Sri. S. Ashok Kumar, counsel for the Accused, having been heard and stood over for consideration, till this day the court delivered the following: -

:: J U D G M E N T ::

1. That the accused charged before this court for the offences under sections 448, 384, 323, 290, 506 of IPC for house trespass, Extortion, Voluntarily causing hurt, abusing in filthy language and for threatening the defacto-complainant, Konda Venkateshwarlu.
2. The Sub Inspector of Police, Husnabad P.S filed a report u/s 173 of Cr.P.C with the following averments in brief:

On 11.01.2014 at 21-30 hours the petitioner Konda Venkateshwarlu, S/o. Mallechettu, age 40 years, R/o. Hanman Nagar, Husnabad came to P.S. and filed a written complaint stating that he is the resident of Husnabad, he runs a Mee Seva Center near Mallechettu chowrastha. On 11.01.2014 about 9.00 p.m. when he was working on computers, certificates by closing the shutter, one Kondeti Venu, S/o. Narsaiah, R/o. Husnabad criminally trespassed into his Mee Seva Center by lifting the shutter up, threatened to give money. When he asked where is the amount that he due to him, on that he abused him in filthy language beat him with hands



[Handwritten signature]

and threatened him to kill and made sound by beating the computer table, by hearing that sound 1. Dubala Srinivas, S/o. Lingaiah, 35 yrs, R/o. Husnabad, 2. Mohammad Sikindar, S/o. Pasha, R/o. Husnabad 3. P. Shekar Goud, S/o. Ella Goud, R/o. Husnabad came there, he left his shop saying that he would kill me. Therefore, he requested to take necessary action against the accused.

3. Basing on the complaint given by Lw.1, SI of police Husnabad registered a case in Cr.No.12/2014 and issued FIR. During the course of investigation he examined and recorded the statements of LW.1 to 4, visited the scene of offence drafted the crime details form in the presence of LW.5 and 6. On 12-01-2014 at about 12.00am SI of police, apprehended the accused and on interrogation they voluntarily admitted to have committed the offences. Accused was sent for judicial remand and after completion of entire investigation SI of police, filed charge sheet.

4. This case was taken on file for the offences U/sec. 448, 384, 323, 290 and 506 of IPC against the sole accused and process was issued.

5. On appearance of accused before the court, copies of documents upon which the prosecution proposed to be relied upon, were furnished to accused as required U/S. 207 of Cr.P.C. Accused is examined U/S. 239 of Cr.P.C. and the accusation against accused for the offences U/sec.2448, 384, 323, 290 and 506 of IPC was read over and explained to him in Telugu for which he denied and pleaded not guilty and claimed to be tried.

6. In order to establish the guilt of accused the prosecution examined PW-1 and got marked Ex.P1 to P3.

7. That the Lw.1/Defacto-Complainant has been examined as Pw.1 and deposed that at about two years back, on one day night while I was going



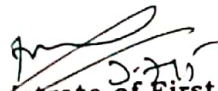
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to his home from the main road then, some unknown offender beat him from back side, then he fell unconscious, he could not see who beat him, then he reported the matter to the police, then police obtained his signature on some written papers but he do not know the contents, which is very against the prosecution case and he declared as hostile and there is no incrimination evidence against the accused and there is no purpose to examine the other witnesses and the examination of the accused U/sec. 313 Cr.P.C. is dispensed with.

8. That the Prosecution failed to bring the guilt of the accused beyond all reasonable doubts.

9. IN THE RESULT, the accused is found not guilty for the offences U/sec. 448, 384, 323, 290 and 506 of IPC and accordingly he is acquitted U/sec. 248 (1) of Cr.P.C for the said offences. The bail bonds of the accused shall stand cancelled after expiry of appeal time.

Typed to my dictation to the Personal Assistant, transcribed by her, corrected and pronounced by me in the open court on this the 03rd day of July, 2015.


**Judicial Magistrate of First Class
HUSNABAD.**

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

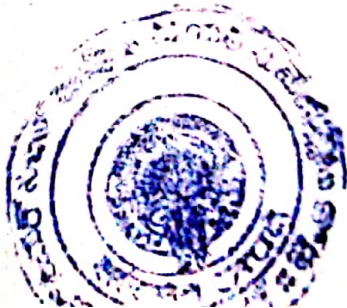
For Prosecution:
PW1 K. Venkateshwarlu.

For Defence:
- NONE -

EXHIBITS MARKED.

Ex.P1 is the Signature of the Complainant.
Ex.P2 is the Complaint.
Ex.P3 is the 161 Cr.p.C statement of PW.1.

MO'S MARKED.
- NIL -




**Judicial Magistrate of First Class
HUSNABAD.**