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**IN THE COURT OF THE II ADDITIONAL CHIEF JUDICIAL
MAGISTRATE, BENGALURU CITY**

Dated this 5th day of June 2026

PRESENT : SRI.SAHEEL AHMED S. KUNNIBHAVI, B.Com., LL.B.
(Spl.)

II Additional Chief Judicial Magistrate, Bengaluru City

JUDGMENT UNDER SECTION 355 OF Cr.P.C.

1.	Sl. No. of the case	C.C.No.28538/2023
2.	Date of commission of the offences (As per F.I.R.)	11.03.2022
3.	Name of the complainant	Banashankari Police Station, Bengaluru City
4.	Name of the accused	Mohanraj M. @ Kutti, S/o Manohara, Aged about 26 years, R/at No-15, 3 rd Main, Raghavendra Block, Shrinagara, Bengaluru-50.
5.	The offences complained of	Sections 324, 341 and 504 of the Indian Penal Code
6.	Plea of the accused	Pleaded not guilty
7.	Final order	The accused is acquitted
8.	Date of order	05.06.2026

The Police Sub-Inspector of Banashankari Police Station, Bengaluru has filed Police Report against the accused alleging that she has committed the offences punishable under Sections 324, 341 and 504 of the Indian Penal Code.

2. It is the case of the Prosecution that on 11.03.2022 at about 11.00 p.m. the informant and his friends had been to the Manjunatha Bar and Restaurant. The other friends of the informant were also at the same Bar. But, however, this accused started abusing the informant in a filthy language that this informant was abusing his friend. This accused in furtherance of his act assaulted the informant with his hands. He had even assaulted with his bike keys and caused grievous injuries. Soon after the incident the informant had been to the Police Station and lodged the information against this accused.

3. Based on the First Information, crime was registered at Banashankari Police Station. The accused was arrested and

produced before this Court and released on bail. On completion of investigation, the Police Sub-Inspector of Banashankari PS, filed Police Report against the accused. After taking cognizance of the said offences, the process was issued to the accused persons. The copies of the Police Report and other prosecution papers are furnished to the accused under Section 207 of Cr.P.C. After hearing, since there were grounds for presuming that he has committed the offences triable by this Court, charges has been framed and read over to him in Kannada language. She has pleaded not guilty and claims to be tried.

4. To prove the charges framed against the accused, the Prosecution has produced the oral evidence of only PW1 and Ex.P1 and Ex.P2 documentary evidences are got marked. Since, there were no incriminating circumstances appearing in the evidences of the prosecution witnesses against the accused, the examination of the accused under Section 313 of Cr.P.C. was dispensed with.

5. Heard the arguments of learned Senior Assistant Public Prosecutor and the learned counsel for the accused. Perused the materials available on record.

6. The points for determination are;

1. Whether prosecution has proved beyond all reasonable doubts that the accused has committed the offences punishable under Sections 324, 341 and 504 of the Indian Penal Code ?

2. What order or sentence?

7. My answers to the above points are as follows:

Point No.1 : In the Negative,

Point No.2 : As per final order for the following:-

REASONS

8. **POINT No.1** :- It is the case of the Prosecution that this accused assaulted the informant with the bike key and caused grievous injuries.

9. To prove the guilt of the accused, the Prosecution has examined CW1/PW1 Amith who is the informant and victim

has deposed that due misunderstanding with the informant, he had lodged the information against the accused. This witness has totally turned hostile to the case of the Prosecution. This witness is cross-examined by the learned Senior APP. But, this witness stucked to his own version and has deposed that he was not subjected to any kind of assault or dire consequences nor this accused has assaulted with the bike key. When the victim and the informant himself has turned hostile, no purpose will be served in examining the rest of the witnesses and dropped all the witnesses by rejecting the prayer of the learned Senior APP. Absolutely, there are not evidence to prove the guilt of the accused beyond all reasonable doubts. Hence, I answer **Point No.1 in the Negative.**

10. **POINT No.2** :- For the reasons stated in Point No.1, the prosecution has not proved the guilt of the accused for the said offences beyond all reasonable doubts. Therefore, the accused is not found guilty for the offences punishable under

Sections 324, 341 and 504 of the Indian Penal Code. In the result, I proceed to pass the following:-

ORDERS

Under Section 248(1) of Cr.P.C, the accused is hereby acquitted for the offences punishable under Sections 324, 341 and 504 of the Indian Penal Code.

The bail bond and surety bond will be canceled after appeal period.

(Typed by the Stenographer in the Court Computer on my direct dictation, printout taken, corrected and then pronounced by me in the open court on 05.06.2026)

(SAHEEL AHMED.S.KUNNIBHAVI)
II Addl. Chief Judicial Magistrate,
Bengaluru City.

ANNEXURE

Witnesses Examined on behalf of Prosecution :-

PW1 : Amith.

Documents marked on behalf of Prosecution :-

Ex.P1 : First Information,

Ex.P1(a) : Signature,

Ex.P2 : Spot Mahazar.

Ex.P2(a) : Signature.

Material objects marked on behalf of Prosecution :-

NIL

Witnesses Examined on behalf of the accused :-

NIL

Documents marked on behalf of the accused :-

NIL

II ACJM, Bengaluru City.