

KABC030899802022



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

Dated this 14th day of July 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.38589/2022
2.	Date of commission of the offence (As per F.I.R.)	15.11.2021
3.	Name of the complainant	Siddapura Police Station, Bengaluru City
4.	Name of the accused	1. Ramesha, S/o Ramanna, Aged about 36 years, R/at No.32, 8th Cross, Near Raghavendraswamy Mutt, Kalidasa Layout, Srinagar, Bengaluru City, Karnataka-560050. 2. Lokesha V., S/o Venkatesha R., Aged about 53 years, R/at No.16/3, 4th Cross, B.E.M.L Layout,

		Halagevaderahalli, R.R.Nagar 5th Stage Bengaluru City-560096. 3. Ravindranatha Tyagore, S/o Putta Byraiah, Aged about 43 years, R/at No.792, Bandematt Sir M.V. Layout, K.S Town, Bengaluru City-560060.
5.	The offences complained of	Sections 341, 384, 504 and 506 R/w Section 34 of the Indian Penal Code
6.	Plea of the accused	Pleaded not guilty
7.	Final order	The accused persons are acquitted
8.	Date of order	14.07.2026

The Police Sub-Inspector of Siddapura Police Station, Bengaluru has filed Police Report against the accused persons for the offences punishable under Sections 341, 384, 504 and 506 R/w Section 34 of the Indian Penal Code.

2. It is the case of the Prosecution that on 15.11.2021 at about 11.00 a.m. when the informant was proceeding through Ashoka Pillar Road to his residence, this accused came in his bike and wrongfully restrained the informant.

The accused in furtherance of his act started demanding amount sold by selling the Nandini Layout plots by the informant. All the accused in furtherance of their act abused the informant in a filthy language and taken Rs.5,000/- from his pocket. They put the informant on dire consequences. Soon after the incident, the informant had been to the Police Station and lodged the information against the accused persons.

3. Based on the First Information of CW1, the crime was registered at Siddapura Police Station. The accused persons were arrested and released on bail. On completion of the investigation, the Police Sub-Inspector of Siddapura Police Station, Bengaluru City filed Police Report against the Police Sub-Inspector alleging that they have committed the offences punishable under Sections 341, 384, 504 and 506 R/w Section 34 of the Indian Penal Code. 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 persons

under Section 207 of Cr.P.C. After hearing, since there were grounds for presuming that the accused persons have committed the offence triable by this Court, charges for the offence has been framed and read over to them in Kannada language. They have 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 PW1 and documentary evidences as per Ex.P1 and Ex.P2. Since, there were no incriminating circumstances appearing in the evidences of the prosecution witnesses against the accused persons, their examination 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 persons. Perused the materials available on record.

6. The points for determination are;

1. Whether prosecution has proved beyond all reasonable doubts that the accused persons

have committed the offences punishable under Sections 341, 384, 504 and 506 R/w Section 34 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 these accused wrongfully restrained CW1 by abusing in a filthy language. They put the informant on dire consequences and taken Rs.5,000/- from his pocket and went away.

9. To prove the guilt of the accused, the Prosecution has examined CW1/PW1 Vikas C.N., who is the informant/injured and victim. But this informant being the victim and the injured has deposed that due to petty differences between the informant and the accused persons he has lodged Ex.P1 information against them. He has deposed that the Police have not conducted any Mahazar in

his presence as per Ex.P2 and he is not aware of the contents of Ex.P1 and Ex.P2. The accused persons have not assaulted him, wrongfully restrained or put him to dire consequence. This witness is cross-examined by the learned Senior APP. But, this witness stucked to his own version and denied that he has lodged any information against these accused nor they have assaulted him or put him on dire consequences. When the informant 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 persons 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 persons for the said offences beyond all reasonable doubts. Therefore, the accused persons are not found guilty for the offences punishable under Sections 341, 384, 504 and 506 R/w

Section 34 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 persons are hereby acquitted for the offences punishable under Sections 341, 384, 504 and 506 R/w Section 34 of the Indian Penal Code.

Their bail bonds and surety bonds 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 14.07.2026)

(SAHEEL AHMED.S.KUNNIBHAVI)
II ACJM, Bengaluru City.

ANNEXURE

Witnesses Examined on behalf of Prosecution :-

PW1 : Vikas C.N..

Documents marked on behalf of Prosecution :-

Ex.P1 : First Information,

Ex.P1(a) : Signature,
Ex.P2 : 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.