



IN THE COURT OF PRL. CIVIL JUDGE AND JMFC, ANEKAL.

PRESENT: Sri. Shankarareddy.D.V., L.L.B., PGD in IR & PM.,
Prl. Civil Judge and JMFC, Anekal.

Dated: This the 29th day of June 2026

CC.No.3843/2024

Complainant : The PI of Anekal PS, Anekal

[Represented By Learned A.P.P)]

V/s.

Accused : **S. Venu S/o Late Shyamanna.N,**
Age: 45 years,
R/at: No.18/34, Doddakere Bagilu,
Brahmin road, 18th Ward,
Anekal Town, Anekal.

(Rep. by Sri.M.S Advocate)

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Date of commission of offence : 19-01-2024

Date of report of offence : 23-01-2024

Offence complained of : U/s.279, 304 A of IPC

Name of the complainant : Padmanabha.S,

Date of commencement of
evidence : 20-12-2025

Date of closing of evidence : 24-04-2026

Judgment : 29-06-2026.

**Prl. Civil Judge & JMFC.
Anekal.**

J U D G M E N T

The PI of Anekal PS, Anekal filed charge sheet against the accused for the offences punishable U/s.279, 304A of IPC.

2. Brief facts of the prosecution case is set out hereunder;

On 19-01-2024 at about 01.00 PM the accused being rider of motor cycle No.KA-59-J-9167, has driven the same in rash and negligent manner with pillion rider P.Somaiah in Jigani-Anekal road near Pasupallu Pete Cementary met an accident and as a result of which the pillion rider of said P.Somaiah sustained grievous injuries and expired at 10.55 on 26-01-2024 in the hospital and thereby the accused committed the aforesaid offences.

3. On receipt of charge sheet, this court has taken cognizance for the aforesaid offences and ordered to issue summons to the accused after registration of criminal case. Accordingly, the present criminal case is registered against the accused for the aforesaid offences and issued summons to the accused. On receipt of summons, accused appeared before the court through counsel and enlarged on bail. Subsequently, charge sheet copy supplied to the accused. Thereafter, substance of acquisition prepared and

explained the same to the accused, to which accused pleaded not guilty. Therefore, five witnesses examined as PW1 to 5 on behalf of prosecution case. Subsequently, statement as contemplated U/s.313 of Cr.P.C prepared and explained the same to the accused, to which accused denied the incriminating evidence of prosecution and did not choose adduce any defence evidence.

4. Having heard both side and on perusal of material available on record, the following points arise for consideration;

POINTS

1. Whether the prosecution proves beyond reasonable doubt that on 19-01-2024 at about 01.00 PM the accused being rider of motor cycle No.KA-59-J-9167, has driven the same in rash and negligent manner with pillion rider P.Somaiah in Jigani-Anekal road near Pasupallu Pete Cementary met an accident and as a result of which the pillion rider of said P.Somaiah sustained grievous injuries and expired at 10.55 on 26-01-2024 in the hospital and thereby the accused committed an offences punishable U/s. 279 & 304A of IPC?

2. What order?

5. On appreciation of material available on record, the above points are answered as under:-

Point No.1 : In the Negative,

Point No.2 : As per the final order,

for the following;

REASONS

6. Point No.1:- PW-1 being complainant deposed in his examination-in-chief that deceased P.Somaiah is his father. The accused is his brother-in-law. Two years ago, he signed to the Ex.P1 to 3 (complaint, statement & mahazure) at the request of police in the police station and he further deposed that he does not know the averments contains therein and he also deposed that he has not lodged any complaint against the accused and police have not conducted any mahazure in his presence and seized motorcycle.

PW-2 and 3 being mahazure witnesses deposed in their examination-in-chief that 2 years ago he signed to the Ex.P2 (mahazure) at the request of police and they do not know the averments contains therein and they further deposed that police have not seized any motor cycle in their presence by conducting mahazure.

PW-4 and 5 being police officials deposed in their examination-in-chief with regard to investigation of FIR after registration complainant and other process of investigation and filing of charge sheet. In the said manner, PW-1 to 3 being material witnesses to the prosecution case completely turned hostile. Hence, the learned Assistant Public Prosecutor elaborately cross-examined PW-1 to 3,

but failed to elicit any worthy answers in support of prosecution case. It is settled that to point the guilt of the accused for the offence punishable U/s.279, 304A of IPC, the prosecution has to prove beyond doubt that accused being rider of offending vehicle has driven the same in rash and negligent manner and injured/victim expired. In the case on hand, the material witnesses ie., CW-1 to 3 completely turned hostile to the case of the prosecution. In the circumstance, by considering the official evidence ie., CW4 and 5 it cannot be held that the accused committed the aforesaid offences. Therefore, this court of the view that prosecution failed to prove its case beyond doubt that accused committed the aforesaid offences. In the result, point No.1 answered in the Negative.

7. Point No.2:- For the reasons assigned in Point No.1, this court proceeds to pass the following ;

ORDER

Accused is hereby acquitted of the offences punishable U/s.279, 304A of IPC.

Bail bonds executed by the accused and his surety stand discharged after expiry of six months from today.

{Dictated to the Stenographer and typed by her the same is corrected and then pronounced by me in the open court on this 29th day of June 2026.}

**Prl. Civil Judge & JMFC.
Anekal.**

:ANNEXURES:**I. WITNESS EXAMINED FOR PROSECUTION SIDE:**

- | | | |
|-------|---|----------------|
| P.W.1 | - | Padmanab S, |
| P.W.2 | - | Murali Mohan, |
| P.W.3 | - | Ramesh, |
| P.W.4 | - | Purushotham, |
| P.W.5 | - | Pradeep Kumar, |

II. WITNESS EXAMINED FOR ACCUSED PERSONS: -NIL-**III. DOCUMENTS GOT MARKED FOR PROSECUTION:**

- | | | |
|-------------------|---|----------------------------------|
| Ex.P.1 & 2 | - | Complaint & statement, |
| Ex.P.1 & 2(a & b) | - | Signatures, |
| Ex.P.3 & 4 | - | Mahazures, |
| Ex.P.3 & 4(a) | - | Signatures, |
| Ex.P.5 | - | Statement of PW-2, |
| Ex.P.6 | - | FIR, |
| Ex.P.6(a) | - | Signature, |
| Ex.P.7 | - | Rough Sketch & Inquest mahazure, |
| Ex.P.7(a) | - | Signature, |
| Ex.P.8 | - | Motor vehicles Accident Report, |
| Ex.P.9 | - | Post Mortem examination report, |
| Ex.P.10 | - | Indemnity Bond, |

IV. DOCUMENTS GOT MARKED FOR ACCUSED PERSONS: -NIL-

(Sri. Shankarareddy D.V)
Prl. Civil Judge & JMFC.
Anekal.