



**IN THE COURT OF SENIOR CIVIL JUDGE AND
J.M.F.C., AT CHINTAMANI.**

Dated this the 23rd day of June 2026

PRESENT

Smt. G. GEETHANJALI.,
B.A., LL.B.,
SENIOR CIVIL JUDGE & JMFC.,
CHINTAMANI.

C.C.NO. 99/2023

COMPLAINANT: State by Kencharlahalli
Police.
(By learned Assistant Public
Prosecutor).

- versus -

ACCUSED:

1. Srinivasa @
Seenappa K.R.
S/o Ramappa,
Aged about 46 years,
2. Karthik K.S.
S/o Srinivasa @
Seenappa K.R.
Aged about 21 years.
3. Narasamma
W/o Srinivasa @
Seenappa K.R.
Aged about 42 years.



4. Ramappa,
S/o Late. Seethappa,
Aged about 77 years.

All are R/at
R/at Kattigenahalli
Village,
Chintamani Taluk,
Chikkaballapur
District.

(By.Sri.R.V.,Adv.,)

1. Date and time of incident : 28-05-2023
2. Date and time of FIR : 29-05-2023
3. Date of appearance/arrest :
4. Date of commencement of
recording on evidence : 06-06-2025
5. Name of the complainant : Rathanamma
6. Acts and sections : U/Sec.
323, 324,
504 and
506 r/w 34
of IPC.
7. Opinion of the Judge : The accused
persons are
not found
guilty.



J U D G E M E N T

The Sub Inspector, Kencharlahalli Police station has filed charge sheet against the accused for the offences punishable U/Sec. 323, 324, 504, 506 r/w 34 of IPC.

2. Brief Facts: It is the specific case of the prosecution that on 28-05-2023 at 06.30 p.m. at Kattigenahalli village when the C.w.1 given sheep heard and were not coming instead of the shed if calling his late however she had not come for which he was holding daughter-in-law and accused who were neighbors they misunderstanding Cw.1 was holding that suddenly picked up quarrel insulted in a filthy language among them accused no.2 assaulted with stone over his head and accused no.1, 3 & 4, caught hold him tightly and assaulted with hands and legged him and threaten his life and said galata was stopped intervention the daughter-in-law and son and he was shifted to government hospital. Therefore the complainant



gave complaint against the accused person for suitable action.

3. On the basis of the said complaint, Kencharlahalli police have registered the case in Crime No.63/2023 and after the investigation, filed the charge sheet.

4. After filing of charge sheet, accused persons appeared before the court in pursuance of summons and charge sheet copy supplied to them as required U/Sec. 207 of Cr.P.C. Charge was recorded and read over to the accused persons. But the accused persons pleaded not guilty and claims to be tried.

5. In order to prove their case, prosecution examined in 9 witnesses and successfully examined 8 witnesses as P.W.1 to 8 and got marked 5 documents at Ex.P.1 to P.5 and also got marked M.O.1 .



6. Statement of accused U/Sec. 313 of Cr.P.C. was recorded. They denied the incriminating evidence appeared against them and claims no defence evidence.

7. Heard the arguments of learned A.P.P. and the counsel for accused.

8. After having heard the arguments from both sides the following points arisen for consideration:

1. Whether the prosecution proves beyond all reasonable doubt that 28-05-2023 at 06.30 p.m. at Kattigenahalli village when C.w.1 given sheep heard and were not coming instead of the shed if calling his late however she had not come for which she was holding daughter-in-law and accused who were neighbors they misunderstanding Cw.1 was holding that suddenly picked up quarrel insulted in a filthy language and thereby committed an offence punishable U/s 504 r/w 34 of IPC?
2. Whether the prosecution further proves beyond all reasonable doubt that on the same date, time and place with common intention



accused persons assaulted the C.w.1 and accused no.1, 3 & 4, caught hold him tightly and assaulted with hands and legged him and thereby committed an offence punishable U/s 323 r/w 34 of IPC?

3. Whether the prosecution proves beyond all reasonable doubt that on the same date and time the accused No.2 assaulted with stone over his head and caused injury to him and thereby accused persons have committed an offence punishable U/Sec.324 r/w 149 of IPC?
4. Whether the prosecution further proves beyond all reasonable doubt that on the same date, time and place with common intention accused persons gave life threat to C.w.1 and thereby committed an offence punishable U/s 506 r/w 34 of IPC?
5. What order?

6. Perused the entire materials placed on record. My answer to the above points are as follows:

POINT NO.1 to 4 : In the Negative

POINT NO.5 : As per final order
for the following:



REASONS

07. POINTS NO.1 to 4 :- Since these points are inter-related to each other, they have been taken together for common discussion in order to avoid repetition of facts.

08. Prosecution in order to bring home the guilt of the accused persons they have cited 9 and 8 witnesses as P.w.1 to 8.

9. According the C.w.1 who set the law into motion by way of filing complaint got examined as Pw.1 and in her chief examination he deposed that, at about 1 year back 06.30 P.M. he was grassing sheep heard when he was also holding his son and daughter-in-law then the accused person misunderstanding that he was holding the accused no.2 assaulted due to over his left head due to her lost conscious and all the accused persons holding shifted to hospital by his son thereafter 2 days were police



recorded statement he identified thumb impression for which complaint marked at Ex.P1 and stone identified as Mo.1. Due to omission of fact the prosecution during his turned hostile and conducted cross examination and successfully elicited all the necessary facts in accordance with the Ex.P1 thus Pw.1 was fully supported the prosecution case he was subjected for cross examination and it was defence taken by the accused persons that due to false case has been registered by misleading injury sustained by the complainant it has been caused due to self call the present case has been registered.

10.In this regard Pw.1 in his cross examination he admits that she doesn't no contents of the Ex.P1 when she suggested that whether the thumb impression when Pw.1 deposed that she forthcoming the same when he suggested about specific identification of Mo.1 and for using same stone in the alleged assault, Pw.1



deposed that since she lost conscious she unable to identified the same she further admits that the stone like Mo.1 is available everywhere and denied all other suggestion based on the deposed set up by the accused persons.

11.Further, the Cw.2 eye witness examined as Pw.2 according to her chief examination on 29-05-2023 Cw.1 who is her mother-in-law scolding her for not coming his fail of calling her for which accused persons assault the Cw.1 over her head thereafter she came to the spot police also visited she given her statement and on the next day also visited at 4 to 5 p.m and taken her signature one document Cw.4 and 5 also present seized the stone thus she turned hostile by the prosecution case in view of in complete evidence i.e., admission of fact and after under going cross examination as being partial hostile Pw.2 fully supported the prosecution case by admitting all the suggestion



put-forth by the prosecution with respect to Ex.P1 and Mo.1 thus fully supported the prosecution in her cross examination she also admits pending of partition suit however she deposed that she doesn't no the contents of her statement including Mahazar recorded by the police it is crucial to note here that Pw.2 in her cross examination deposed that she came to the spot after the galata is over thought she identified the Mo.1 wherein she denied all other suggestion by the defence counsel.

12. The Cw.3 as Pw.3 he being the son of the Pw.1 he deposed that at about 2 years back at 6-30 p.m. when her mother was holding after some time he heard alarm raised by her mother and he rushed to the spot where the accused persons were assaulted with the Cw.1 where classified the galata and got admitted his mother to the hospital he doesn't no the galata has been occurred and deposed that he



had given statement and fails to identified the Mo.1.

13. Thus he also turned partial hostile and learned APP subjecting him for cross examination and elicited to the fact in accordance with law with this statement recorded by the I.O. and identification Mo.1 wherein in the cross examination Pw.3 feign ignorance with respect to the contents of Ex.P2 however admits about pending of civil case and denied other suggestion.

14. Prosecution the Cw.4 & C.w.5 are the Pancha witnesses examined as Pw.4 and Pw.5 and Pw.4 deposed that on about 3 years back the police visited on the hospital to galata pertains Cw.1 and obtained his signature one document and Pw.5 also deposed that however both of them fails identify the Mo.1 and both of them turned as partial hostile, Pw.4 will not supported the prosecution wherein



Pw.5 supported the prosecution case and in the cross examination of Pw.5 she admits Cw.1 is his daughter and he deposed that and he also admits the police obtained his signature police station.

15. Cw.6 Doctor as Pw.6 accordingly to the doctor on 28-05-2023 at 9-00 p.m. when she was an duty Cw.1 along with her son-in-law on the history of assault on 6-30 p.m. on the same day by one Seenappa and on medical examination found aberration injuries over right hand, contusion injury over her right hand form, the contusion injury at the head and also cut injury over head and aberration injury on the upper lip and issued the wound certificate as per Ex.P3 and accordingly to her opinion the same as simple in nature in the cross examination she admits causing injury in an alternative manner if any person fell on the hard surface.



16. Cw.8 and 9 who were investigation officers as Pw.7 and 8 according to Pw.7 he recorded the statement Cw.1 Chintamani Government hospital on 28-05-2023 and registered the case submitted the FIR and conducted panchanama as per Ex.P2 seized the stone and handed over the case file of Cw.9 he identified the complaint and FIR marked at Ex.P5 and also marked Mo.1.

17.And cross examination he denied formal suggestion Pw.8 is concerned he deposed that recorded the statement of witnesses and on 30-05-2023 the accused persons appeared before the statement and conducted the arrest procedure and receiving the wound certificate on the same day and completed the investigation and submitted charge sheet he identified Ex.P4 and he denied also formal suggestion.



18. So these are the prosecution evidence Pw.1 in his cross she himself admits about she plead ignorance with respect to contents of Ex.P1 and also admits about specific investigation of MO.1 and Pw.2 deposed that, she came to the spot after the galata is over and Pw.3 in his chief examination itself he deposed that he had no information about the galata took place though he support the cross examination however he deposed that doesn't the contents of the statement and Pw.4 being pancha witness turned hostile, Pw.5 being pancha witness though supported the prosecution and admits that he signed the panchanama at the police station as such in view of the aforesaid evidence by Pw.1 to 5 the official witness evidence i.e, Pw. 6 to 8 will not come to the support of the prosecution as there is no corroborate in the evidence of Pw.1 to 3 though Pw.1 to 3 after turned hostile supported the prosecution when it is not sufficient to prove the guilty of the accused persons,



therefore this court is of the opinion that, Hence
I answered point no. 1 to 4 in the Negative

19. POINT NO.5:- In view of the above said
discussion on Points No.1 to 4, I proceed to pass
the following:

ORDER

In exercise of the powers vested under
section 248[1] of Cr.P.C., the accused
No.1 to 4 are hereby acquitted of the
offences punishable U/sec. 323, 324,
504 & 506 r/w 34 of IPC.

The accused No.1 to 4 are set at
liberty forthwith if they are not
required in any other case.

The M.O.1 is worthless, hence
ordered to be destroyed after the
completion of appeal period.



The bail bond and surety bond of the accused persons stand cancelled after expiry of appeal period to comply the provision of Section 437 (A) of Cr.P.C.

(Dictated to the Stenographer, computerized transcript revised and then pronounced by me in the open court on this the 23rd day of June 2026)

Sd/-
(G. GEETHANJALI)
Senior Civil Judge and
J.M.F.C., Chintamani.

ANNEXURE

List of witnesses examined for the prosecution:

P.W.1	:	Rathnamma
P.W.2	:	Shivamma
P.W.3	:	Ananda
P.W.4	:	Avalappa
P.W.5	:	Narasimhappa
P.W.6	:	Dr. Jayanthi
P.W.7	:	Chandrappa
P.W.8	:	Jagadesh Reddy

List of documents got marked for the prosecution:

Ex.P1	:	Complaint
Ex.P2	:	Mahazar
Ex.P3	:	Memo



Ex.P4 : Wound certificate

Ex.P5 : FIR

List of witnesses examined for defence:

- NONE -

List of documents marked for the defence:

-Nil-

List of Material Objects:

1. Stone

Sd/-

**Senior Civil Judge &
J.M.F.C.,Chintamani.**

