

KADG520006452024



Presented on : 24-04-2024  
Registered on : 24-04-2024  
Decided on : 01-04-2026  
Duration : 1 years, 11 months, 7 days

THE COURT OF THE PRL.CIVIL JUDGE & JMFC, HONNALI

Dated this the 1<sup>st</sup> day of April 2026

SRI DEVADAS H., B.A, LL.B.,

PRL.CIVIL JUDGE & JMFC,

HONNALI

CRIMINAL CASE NO.345/2024

COMPLAINANT : The State through  
Honnali Police Station  
(By Asst. Public Prosecutor)

//Versus//

ACCUSED : 1. Chandrappa Kademane  
S/o Shivappa Kademane  
Aged about 61 years.

2. Hanuma Gowda  
S/o Channappa  
Aged about 39 years.

3. Eshwarappa  
S/o Dodda Thimmappa

Aged about 63 years.

4. Basavanagowda

S/o Mahadevappa

Aged about 50 years.

5. Channappa

s/o Hanumanthappa

Aged about 76 years

6. Umesha

S/o Ramappa

Aged about 49 years.

7. Prabhu S/o Parameshwarappa

Aged about 40 years.

8. Shivu S/o Basappa

Aged about 50 years.

9. Basavanagowda

S/o Shivarudrappa

Aged about 32 years

All are R/o: Thuggalahalli Village

Honnali Taluk.

(A1 to 7 is Rep.By Sri.HGS., Advocate,

A8 and 9 is Rep.By Sri. KHN., advocate)

1. Date of commission of offence 25.03.2024

- |   |   |
|---|---|
| 2. Date of report of offence                  | 26.03.2024  |
| 3. Arrest of the Accused                      | -   |
| 4. Name of the Informant                      | Revanasiddappa H.M.   |
| 5. Date of commencement of recording evidence | 13.03.2026  |
| 6. Date of closing of evidence.               | 13.03.2026  |
| 7. Offences complained of                     | U/Secs.143,147,341, 504 and 506 R/w 149 of Indian Penal Code. |
| 8. Opinion of the Judge.                      | Accused persons found not guilty.                             |

\* \* \* \* \*

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

The PSI of Honnali Police station has submitted the Charge Sheet against the accused persons for the offence punishable U/Secs.143, 147, 341, 504 and 506 R/w 149 of Indian Penal Code.

2. The brief facts of the Prosecution case are as follows:

On 23.03.2024 and 24.03.2024., at Thuggalahalli Village within the jurisdictional limits of Honnali Police station, CW1 while transporting the stones in lorry from his quarry through Shikaripura main road, the accused persons in furtherance of common object have formed an unlawful assembly and rioting to commit offence and picked up quarrel workers who are

working in lorry and wrongfully restrained the lorry of CW1 and abused them in filthy language and also criminally intimidated to them. Therefore, the accused persons have committed the alleged offences.

3. On the basis of information given by CW1-Informant, Honnali Police have registered a case against the accused persons in Crime No.74/2024 and registered the FIR for the offences punishable U/Secs.341, 504 and 506 R/w. Section 149 of IPC., It is stated that the Police have took up the investigation and after completion of investigation, the Police have submitted the Charge Sheet against the accused persons for the offences punishable U/Secs.143, 147,341, 504 and 506 R/w 149 of Indian Penal Code.,

4. As there are sufficient materials in the Charge Sheet to proceed against the accused persons, cognizance was taken for the offences punishable U/Secs.143, 147, 341, 504 and 506 R/w Section 149 of Indian Penal Code and the summons were issued to the accused persons.

5. In pursuance of summons, the accused persons have appeared and they were released on bail. Copy of Charge Sheet papers were furnished to the accused persons as contemplated U/Sec.207 of Cr.P.C.,

6. Heard both sides. There are sufficient materials available on record to frame the charge. Hence, the Charge was framed against accused persons for the offences punishable U/Secs.143, 147,341, 504 and 506 R/w 149 of Indian Penal Code. The same was read over and explained to the accused persons in the language known to them. Accused persons pleaded not guilty and claim to be tried and thereby evidence is set down.

7. In order to prove the guilt against the accused persons, the prosecution examined witness as PW1 and got marked one document as Ex.P1 and closed its side.

8. PW1 is informant-cum-victim. This witness being the material witness to the case of prosecution did not support the case. The learned A.P.P., prayed to issue summons to the rest of the witnesses. In view of hostility of PW1 , the prayer of A.P.P., was rejected thereby the rest of the witnesses were dropped as no purpose of the prosecution will be served by examining the rest of the witnesses. Thereby, the Prosecution evidence is closed.

9. There is no material incriminating evidence against the accused persons in the evidence of PW1. Thereby, this Court has dispensed with the Statement of accused U/Sec.313 of Cr.P.C.,

10. Heard the arguments on both sides.

11. On going through the facts and circumstances of the prosecution case, the following points would arise for determination of this Court :-

**POINTS**

1. Whether the prosecution proves beyond all reasonable doubt that, on 23.03.2024 and 24.03.2024., at Thuggalahalli Village within the jurisdictional limits of Honnali Police station, CW1 while transporting the stones in lorry from his quarry through Shikaripura main road, the accused persons in furtherance of common object have picked up quarrel with workers who are working in lorry of CW1 and formed an unlawful assembly to commit certain offences and thereby accused persons have committed an offence punishable U/Sec.143 R/w Sec.149 of Indian Penal Code?
2. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place accused persons in furtherance of common object have picked up quarrel with workers who are working in lorry of CW1 and formed unlawful assembly and rioting to commit offence and thereby

accused persons have committed an offence punishable U/Sec.147 R/w Sec.149 of Indian Penal Code ?

3. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place, the accused persons in furtherance of common object have picked up quarrel with workers who are working in lorry of CW1 and abused them in filthy language and to break the public peace or to commit any other offence and thereby accused persons have committed an offence punishable U/Sec.504 R/w Section 149 of Indian Penal Code?
4. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place the accused persons in furtherance of common object have picked up quarrel with workers who are working in lorry of CW1 and wrongfully restrained the lorry of CW1 and thereby accused persons have committed an offence punishable U/Sec.341 R/w Section 149 of Indian Penal Code?
5. Whether the prosecution proves beyond all reasonable doubt that, on the above said

date, time and place the accused persons in furtherance of common object have picked up quarrel with workers who are working in lorry of CW1 and criminally intimidated to them by threaten to their lives, so as to cause alarm in their mind and thereby accused persons have committed an offence punishable U/Sec.506 R/w Section 149 of Indian Penal Code?

6. What Order ?

12. This Court has findings to the above Points are as under :-

POINTS NO.1 to 5 : In the Negative

POINT NO.6 : As per final order

For the following: -

#### R E A S O N S

13. POINTS NO.1 to 5 :- As these points are inter linked with each other and also similar evidence is led on all these points, this Court has taken all these points together for common discussion in order to avoid repetition of facts and discussion.

14. In order to prove the case of the prosecution, the prosecution has examined PW1 and he is the informant-cum-victim. He has not supported the case of prosecution.

15. The learned A.P.P., has treated PW1 as hostile witness and cross-examined him in detail. But, inspite of making searching cross-examination nothing has been elucidated from his mouth so as to support the case of prosecution.

16. Out of the documents marked for the prosecution, Ex.P1 is the Statement/Complaint.

17. On perusal of the evidence of PW1, it is clear that he has not supported the case of the Prosecution whole heartedly. Further the witness has not deposed in accordance with the story of the prosecution. The prosecution has not proved the story put forth in the first information and victim statement and also in the charge sheet. In the absence of corroborative evidence, the exhibited document is not sufficient to prove the guilt against the accused persons for which they have been charge sheeted. Hence, the entire case of the prosecution is not free from doubt and the accused Persons have to be given benefit of doubt. The prosecution failed to prove the guilt against the accused persons and the accused persons are entitled for acquittal. Accordingly, this Court has answer Points No.1 to 5 in the 'NEGATIVE'.

18. POINT NO.6:- In the above result, the accused persons are entitled for acquittal on doubt benefit. Hence, this Court has proceed to pass the following:-

## O R D E R

Acting U/Sec.248(1) of Cr.P.C.,  
accused persons are acquitted of the  
offences punishable U/Secs. 143, 147,  
341, 504 and 506 R/w 149 of Indian  
Penal Code.

Bail bond of the accused persons  
and Surety bond shall stand canceled.  
The bail bonds executed Under Section-  
437 (a) shall be continued.

*[Dictated to the stenographer directly on computer, typed by her, corrected  
and then pronounced by me in the open court on this day of 1<sup>st</sup> day of April  
2026.]*

(Devadas H.)  
Prl.Civil Judge and JMFC.,  
Honnali.

## ANNEXURES

1. List of the Witnesses examined by the Prosecution:  
PW1 : Revanasiddappa H.M
2. List of the Documents exhibited for the Prosecution:  
Ex.P1 : Complaint  
Ex.P1(a) : Signature of PW1
3. List of witnesses examined and Documents marked for accused:-  
-Nil -
4. List of material objects marked:- NIL -

(Devadas H.)  
Prl.Civil Judge & JMFC,  
Honnali.