

KAHS310003832025



Presented on : 11-02-2025
Registered on : 11-02-2025
Decided on : 23-06-2026
Duration : 1 year 4 months 12 days

IN THE COURT OF THE I ADDL. CIVIL JUDGE & JMFC, ARAKALGUD

**PRESENT: SUMA T., B.A., LL.B.,
I Addl. Civil Judge & JMFC.,
Arakalagud.**

DATED THIS 23rd DAY OF JUNE 2026

CRIMINAL CASE NO: 131/2025

BETWEEN:

State of Karnataka,
Represented by Konanuru Police Station,
Konanuru.

....Complainant

(By Asst. Public Prosecutor)

AND:

Sagar S/o Kumara
Aged 29 years,
Thathanahalli village,
Hallimysre hobli,
Holenarasipura taluk,
Hassan.

..Accused

(By Sri. S.K.M., Advocate for accused)

Date of commission of offence : 12-12-2024
Date of report of the offence : 22-12-2024
Name of the Complainant : Dhanalakshmi

Date of Commencement of recording of Evidence	:	19-06-2026
Date of Closing of evidence	:	19-06-2026
Date of Judgment	:	23-06-2026
Period	:	Year/s Month/s Day/s
		01 04 12
Offences complained are	:	Under Sections 281, 125(a), 125(b) of BNS 2023.
Opinion of the Court	:	Accused found not guilty

**I Addl. Civil Judge and J.M.F.C.,
Arakalagud.**

JUDGEMENT

P.S.I. of Konanuru Police station filed the charge sheet against the accused for the offences punishable u/sec. 281, 125(a), 125(b) of BNS 2023.

2. The prosecution case in brief is that on 12-12-2024 at about 4-30 a.m., within limits of Konanuru police station, Arakalgudu taluk, Doddamagge hobli, Doddahalli village, on Ramanathapura-Belavadi road cross, accused was proceeding on motorcycle bearing Reg. No.KA-19-EE-4423 Splendor NXG bike along with CW-2 and accused ride the bike in a rash and negligent manner and suddenly applied break. In the result, CW-2 fall from the bike and sustained simple injuries on his right shoulder, right knee, right ear and sustained grievous injuries on right and hind side of head. Thus according to prosecution, accused committed an offences punishable u/sec. 281, 125(a), 125(b) of BNS 2023.

3. After registration of the case, accused appeared before the court and obtained bail. Then after filing of the charge sheet, the case was registered against the accused and the copy of the charge sheet was furnished to the accused as provided u/sec. 207 of Cr.P.C.

4. Then after hearing the prosecution and the learned counsel for the accused, the charge was framed for the offences punishable u/sec. 281, 125(a), 125(b) of BNS 2023 and read over same to the accused. The accused denied the charges leveled against him and claimed for the trial.

5. To bring home the charges leveled against the accused, the prosecution examined CW-1 as PW.1 and CW-2 and CW-3 examined as PW-2 and PW-3 and got marked the documents at Ex-P-1 to Ex-P-3. There are no incriminating evidence found against the accused; hence the recording of statement u/sec.313 of Cr.P.C. is dispensed with.

6. Heard the learned APP and the learned counsel for the accused.

7. The points that arise for my consideration are:

1. Whether the prosecution has proved beyond reasonable doubt that on 12-12-2024 at about 4-30 a.m., within limits of Konanuru police station, Arakalgudu taluk, Doddamagge hobli, Doddahalli village, on Ramanathapura-Belavadi road cross, accused was proceeding on motorcycle bearing Reg. No.KA-19-EE-4423 Splendor NXG bike along with CW-2 and accused ride the bike in a rash and negligent manner and suddenly applied break and

caused accident and thereby accused committed offence punishable u/sec. 281 of BNS?

2. Whether the prosecution has proved beyond all reasonable doubt that on the above said place, date in the result of accident CW-2 sustained simple injuries on his right shoulder, right knee, right ear and thereby accused committed offence punishable u/sec.125(A) of BNS?

3. Whether the prosecution has proved beyond all reasonable doubt that on the above said place, date in the result of accident CW-2 sustained grievous injuries on right and hind side of head and thereby accused committed offence punishable u/sec.125(B) of BNS ?

4. What Order?

8. My finding to the above points are as follows:

Point No.1 : In the Negative,

Point No.2 : In the Negative,

Point No.3 : In the Negative,

**Point No.4 : As per the final order
for the following:**

REASONS

9. Points No.1 to 3: As these points are interconnected, hence these points are taken up for discussion together to avoid repetition of facts and discussion.

10. Prosecution case is that, on 12-12-2024 at about 4-30 a.m., within limits of Konanuru police station, Arakalgudu taluk, Doddamagge hobli, Doddahalli village, on Ramanathapura-Belavadi road cross, accused was proceeding on motorcycle bearing Reg. No.KA-19-EE-4423 Splendor NXG bike along with CW-2 and accused ride the bike in a rash and negligent manner and suddenly applied break. In the result, CW-2 fall from the bike and sustained simple injuries on his right shoulder, right knee, right ear and sustained grievous injuries on right and hind side of head. Accused denied the case of prosecution and contended that he is innocent and not committed the alleged offences.

11. To prove the case, prosecution at the first instance examined the complainant as PW-1 and injured and mahazar witnesses as PW-2 and PW-3 who are turned hostile to the case of the prosecution. Complainant stated that he informed to the police stating that CW-2 sustained injuries in the accident. The police have taken her signature on the document. She has identified her signature on Ex-P-1 i.e., complaint and she does not know the elements of the Ex-P-1. PW-1 and PW-2 stated that they do not know who caused accident and name of vehicle. Further PW-2 stated that he did not give any statement before the police about this incident. The said contradiction statement is marked as Ex-P-2. PW-3 has identified his signature on Ex-P-3 i.e., mahazar and he does not know the elements of the Ex-P-3 and he further stated that in his presence no vehicle have been seized. These witnesses have been treated as hostile and

subjected to cross examined by the APP, but nothing worth has come out in support of the prosecution case.

12. Case of the prosecution was got initiated in pursuant to the complaint lodged by the complainant. But complainant, injured cum eyewitness and mahazar witness turned hostile to the case of the prosecution. Further CW-1 has stated that herself and accused have settled the matter. Thus further request of the prosecution to summon and examine other cited witnesses turned down, as no useful purpose is going to be served by examining of them. Prosecution would concede that the examination of other witnesses will not help the case of the prosecution and there is nothing on record to hold that accused committed the alleged offences.

13. Thus on appreciation of materials on record, I hold that prosecution has failed to prove beyond reasonable doubt that the accused committed the alleged offences. Accordingly, these points are answered in negative.

14. Point No.4: In view of the above discussion, this court is proceed to pass the following:

ORDER

By exercising the power conferred u/sec. 278(1) of BNSS the accused is hereby acquitted from the offences punishable u/sec. 281, 125(a), 125(b) of BNS 2023.

The bail bond of the accused and his surety if any shall stands cancelled.

The accused has complied with provision of Section 481 of BNSS by executing personal bond for Rs.50,000/- with surety for likesum which shall remain in force for 6 months.

(Dictated directly to the stenographer on Computer, the same is revised, edited and corrected by me and then pronounced in the Open Court on this the 23rd day of June 2026).

(Smt. Suma T.)
I Addl. Civil Judge & JMFC,
Arakalagud.

ANNEXURE

List of witnesses examined on behalf of prosecution:

P.W.1 : Dhanalakshmi
PW-2 : Thammegowda
PW-3 : Samanth

List of documents marked on behalf of the prosecution:

Ex.P.1 : Complaint
Ex.P.1(a) : Signature
Ex.P.2 : Statement of PW-2
Ex.P.3 : Spot and seizure mahazar
Ex.P.3(a) : Signature

List of witnesses examined on behalf of the Accused:- Nil -

List documents marked on behalf of the Accused:- Nil -

List of material objects marked in this case:- Nil -

(Smt. Suma T.)
I Addl. Civil Judge & JMFC,
Arakalagud.

(Vide separate Judgment pronounced
in open court)

ORDER

By exercising the power conferred u/sec. 278(1) of BNSS the accused is hereby acquitted from the offences punishable u/sec. 281, 125(a), 125(b) of BNS 2023.

The bail bond of the accused and his surety if any shall stands cancelled.

The accused has complied with provision of Section 481 of BNSS by executing personal bond for Rs.50,000/- with surety for likesum which shall remain in force for 6 months.

*I Addl. Civil Judge and JMFC,
Arakalgud.*