



**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE &
JMFC, RANEBENNUR**

PRESENT : Smt. Hullur Hemalata Basappa,
B.A. LL.B.,(Spl.)

Principal Senior Civil Judge
& JMFC., Ranebennur.

CRIMINAL CASE. No.713 OF 2021

DATED THIS 01st DAY OF JUNE 2026

COMPLAINANT : The State,
By PSI, Ranebennur Rural
Police Station

(By Learned APP, Ranebennur)

-vs-

ACCUSED : 1) Umeshappa Virupakshappa Lamani,
Age : 40 years,
2) Venkatesh Umeshappa Lamani,
Age : 20 years,
3) Smt. Lakshmi W/o Umeshappa
Lamani, Age : 38 years,
4) Smt. Neelavva Umeshappa Lamani,
Age : 38 years,
5) Dharmappa Hanumanthappa Lamani
Age : 24 years,



- 6) Srikanth Hanumanthappa Lamani,
Age : 22 years,
- 7) Shivappa Hanumanthappa Lamani,
Age : 32 years,
- 8) Chandru Umeshappa Lamani,
Age : 21 years,

All are R/at: Ankasapura Thanda,
Ranebennur Taluk, Haveri district.

(By Sri I. P. Kulenur, Adv)

- 1 Date of the : 07-07-2020
offence
- 2 Offences alleged : Punishable U/Sec. 143, 147,
against accused 148, 323, 324, 504 and 506 R/
W sec. 149 of IPC.
- 3 Plea of the : Pleaded not guilty.
accused
- 4 Final Order : Acquitted
- 5 Date of Judgment : 01-06-2026

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

1. The P.S.I., of Ranebennur Rural Police Station has
filed charge sheet against the accused No.1 to 8 for the



offences punishable under Sections 143, 147, 148, 323, 324, 504 and 506 R/W sec. 149 of IPC.

2. The case of the Prosecution in brief is as under; complainant is resident of Medleri Thanda and accused persons are residents of Ankasapura Thanda. That on 07-07-2020 at about 9:30 am., within the jurisdiction of Ranebennur Rural Police, while CW, 1, 4 and 5 were proceeding on the bund of her property, on being questioned by accused No.1 CW4 had informed her that they were going another land for taking grass, at that moment the accused persons sharing a common object to commit an offence, unlawfully assembled abused them in filthy words and accused No.1, 2 and 3 have assaulted complaint with their hands and while CW4 tried to rescue, CW1, accused No.4, 5 and 6 have assaulted him with their hands and accused No.7 and 8 assaulted CW-5 with hand by pushing him causing simple injuries while the accused no.5 assaulted CW-4 to his chest with axa blade causing



simple injuries and intimidated them with life threat and thereby committed the alleged offences.

3. Thereafter, based on the first information of the incident by CW1, the Ranebennur Rural Police have registered the case under their P.S. Crime No.162/2020 and issued FIR . After completion of investigation, IO has filed charge sheet against the accused persons for the above said offences.

4. After filing of charge sheet, cognizance was taken against the accused persons for the offences mentioned supra and summons was issued to the accused persons. In pursuance of service of summons, accused persons appeared before the Court and he was enlarged on bail and the provision of Sec. 207 of Cr.P.C was complied.

5. Thereafter, the charge was framed, read over and explained to the accused persons in the vernacular



language known to them, but they pleaded not guilty and claimed to be tried.

6. The prosecution, in order to bring home the guilt of the accused persons, has examined CW1, CW4 and CW5 as PW1 to 3 and got marked 6 documents on its behalf as per Ex.P1 to 6.

7. Since the complainant cum injured and injured totally turned hostile, the Court declined to accept the prayer of the learned APP to issue summons to remaining charge sheet witnesses since the Court was of the view that examination of the other charge sheet witnesses will serve no purpose. Since the prime witness of the prosecution case turned hostile, as such, no incriminating evidence has accrued against the accused persons. Hence, the recording of the accused statement under section 313 Cr.P.C was dispensed.



8. Heard the arguments of learned APP., and the learned counsel for the accused persons. Perused the charge sheet and other material on record.

9. Upon hearing the arguments and on perusal of the material placed on record, the following points arise for my consideration:

1.	Whether the prosecution proves beyond all reasonable doubt that on 07-07-2020 at about 9:30 am., within the jurisdiction of Ranebennur Rural Police at Medleri village, while CW, 1, 4 and 5 were proceeding on the bund of her property, on being questioned by accused No.1 CW4 had informed her that they were going another land for taking grass, at that moment, the accused persons in furtherance of common object to commit offence, formed themselves into an unlawful assembly to commit offence and thereby they have committed the offence punishable U/sec. 143 R/w sec.149 of IPC ?
2.	Whether the prosecution proves beyond all



	reasonable that on the above said date, time and place the accused persons being the members of the unlawful assembly in furtherance of their common object committed rioting by holding deadly weapons and thereby they have committed the offence punishable U/sec. 147 R/w sec.149 of IPC ?
3.	Whether the prosecution proves beyond all reasonable that on the above said date, time and place the accused persons being the members of the unlawful assembly in furtherance of their common object committed rioting by holding deadly weapons and thereby they have committed the offence punishable U/sec. 148 R/w sec.149 of IPC ?
4.	Whether the prosecution proves beyond all reasonable that on the above said date, time and place the accused persons being the members of the unlawful assembly in furtherance of her common object abused the CW1, 4 and 5 in filthy words and thereby they have committed the offence



	punishable U/sec. 504 R/w sec.149 of IPC ?
5.	Whether the prosecution proves beyond all reasonable that on the above said date, time and place the accused persons being the members of the unlawful assembly in furtherance of their common object assaulted CW1, 4 and 5 with hands and thereby voluntarily caused simple injuries and thereby they have committed the offence punishable U/sec. 323 R/w sec.149 of IPC ?
6.	Whether the prosecution proves beyond all reasonable that on the above said date, time and place the accused No.5 being the member of the unlawful assembly in furtherance of his common object assaulted on hands, chest of CW4 with axa blade and voluntarily caused simple injuries and thereby he has committed the offence punishable U/sec. 324 R/w sec.149 of IPC ?
7.	Whether the prosecution proves beyond all reasonable that on the above said date, time and place the accused persons being the members of the unlawful assembly in



	furtherance of their common object have intimidated him with life and thereby they have committed the offence punishable U/sec. 506 R/w sec.149 of IPC ?
8.	What order?

10. My findings to the above points are as under :

Point No.1 to 7: In the negative

**Point No.8 : As per final order,
for the following;**

REASONS

11. Point Nos. 1 to 7 : As these points are inter linked and inter connected, the same are taken up together for common discussion in order to avoid repetition of facts.

12. To bring home the guilt of the accused, prosecution has to prove its case beyond all reasonable doubt. In the instant case, the prosecution has examined 3 witnesses. PW.1 Kamalavva Lamani the complainant cum victim. PW.2-Devendrappa Lamani and PW3- Gouramma Lamani are the injured.



13. PW.1– Smt. Kamalavva, the complainant in her examination-in-chief, stated that CW4 is her husband, CW5 is her mother and she acquainted with CW6 to 8 and there was verbal clash took place between them and accused persons with respect to landed property. She identified her signature on Ex.P1 which is complaint as per Ex.P.1(a). She further deposed that the accused persons did not formed themselves into unlawful assembly, did not abused herself and CW4 and 5 in filthy words and did not assaulted them with their hands and did not cause simple injuries to them. She further deposed that, the accused No.1 to 3 did not assaulted CW4 with axa blade on his chest and accused No.7 and 8 did not assaulted CW5 with their hands and she deposed that with respect to verbal clash, she lodged the complaint before the Police. Though She identified her signature on Ex.P-1 complaint ,Ex.P-2 spot Mahazar and Photographs as per Ex.P-3 and 4, but pleaded ignorance with the contents of Ex.P-1 and 2 and failed to state for what purpose the photographs were taken at the spot.



14. The Learned APP has cross examined PW1, wherein it is suggested about the contents of complaint by explaining her about the incident that took place between them and accused persons as mentioned in the complaint and accused persons having abused her and CW-4 and 5 in filthy language and assaulted her and CW-4 and 5 with hands causing injuries to them and also the Accused no 5 assaulted CW-4 with Axa blade to his chest and hand causing injuries to him and having given life threat. Further suggested that on 10-7-2020 the police have conducted the spot panchnama at the spot in the presence of CW-2 and 3 and drawn panchnama as per EX.P-2 by seizing the Axa blade and also taken the photographs as per Ex.P-3 and 4. Those suggestions made by Learned APP have been completely denied by PW1, but she admitted that they and accused persons have already compromised the matter. Therefore this might be the reason for hostility of PW1.



15. PW2 and 3 are the injured and husband and mother of PW-1, respectively. In their examination in chief they deposed that, they acquainted with the accused persons. They further deposed that, the accused persons did not assaulted them and CW1 with their hands by forming unlawful assembly and did not cause injuries. They further deposed that accused No.1 to 3 did not assaulted on the chest of CW4 with axa blade and accused No.7 and 8 did not assault CW5 with their hands and did not give life threatened to them and they did not give statement before the Police.

16. The learned APP has cross-examined PW2 and 3 and suggested about, the contents of Ex.P.5 and 6 which are the statements given by the witnesses before Police authorities during investigation. But the witnesses have completely refused the suggestions of learned APP. Further it is also suggested that the they have given false evidence to help the accused persons. Those suggestions made by



Learned APP have been completely denied and PW2 and 3 and have deposed that the complainant already compromised the matter with the accused persons. Therefore this might be the reason for hostility of PW2 and 3.

17. On perusal of the oral and documentary evidence of PW1 to 3 and Ex.P1 to 6, it is crystal clear that the complainant cum injured i.e., PW1 and the victims PW2 and PW3 have turned hostile and not supported the prosecution case in any manner. Even in the cross examination also, the Learned APP has failed to elicit any amount of incriminating evidence against accused persons. Even though, the prosecution also exhibited the documents at Ex.P.1 to 6 which are the complaint, Spot panchnama further statement and statement of witnesses, but as PW1 to PW3 have completely turned hostile before the Court, no evidentiary value can be attached to the said Ex.P.1 to Ex.P.6. Hence, it is held that the prosecution has failed to



prove these documents also.

18. It is relevant to note that the complainant cum victim i.e., PW-1 and injured, PW2 and 3 who are the prime witnesses to the prosecution case were examined to prove the guilt of the accused persons, but they have totally turned hostile and therefore, nothing survives on record to hold that the accused persons are guilty of the alleged offences. As such, it is held that the prosecution has utterly failed to establish its case. Wherefore, I answer Point No.1 to 7 **in the Negative.**

19. Point No. 8: In view of my discussion to above Point No.1 to 7, I proceed to pass the following;

ORDER

Acting under Section 248 (1) of Code of Criminal Procedure, accused No. 1 to 8 are hereby acquitted for the offences punishable under Sections 143, 147, 148, 323, 324, 504 and 506 R/W sec. 149 of IPC..



Bail bonds and surety bond executed by accused persons shall continue for a period of two months from the date of this judgment.

(Dictated to the stenographer directly on computer, typed by him and the same is corrected and then pronounced by me in the open court on this **01st Day of JUNE 2026**)

sd/-
(Smt. Hullur Hemalata Basappa)
Principal Senior Civi Judge
& JMFC, Ranebennur

ANNEXURES

List of witnesses examined on behalf of the prosecution :

PW 1 : Smt. Kamalavva w/o Devendrappa Lamani.

PW 2 : Devendrappa Beerappa Lamani.

PW 3 : Smt. Gouramma W/o Mangalappa Lamani.

List of documents exhibited on behalf of the prosecution :

Ex P 1 : Complaint.

Ex P 1(a): Signature of PW1.

Ex P 2 : Panchanama.

Ex P 2(a): Signature of PW1.

Ex P 3-4 : Photo.

Ex P 5 : Statement of PW2



Ex P 6 : Statement of PW3.

List of witnesses examined on behalf of the accused :

... NIL ...

List of documents exhibited on behalf of the accused :

... NIL ...

List of material objects marked on behalf of prosecution :

... NIL ...

sd/-
Principal Senior Civil Judge
& JMFC, Ranebennur

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