



**IN THE COURT OF II ADDL. DISTRICT & SESSIONS
JUDGE, AT MANDYA.**

Dated this the 02nd day of April 2026.

PRESENT

Smt. Sayeedunnisa, M.A., LL.B.,
II Addl. District & Sessions Judge,
Mandya.

S.C. No.105/2023

COMPLAINANT : State by K.M. Doddi Police Station.

(By Learned Public Prosecutor, Mandya)

- Vs -

ACCUSED PERSONS : 1. Sri Puttamadegowda @ Puttamadu,
S/o Kempegowda,
Aged about 53 years.

2. Sri Devaraju P.,
S/o Puttamada,
Aged about 25 years.

3. Sri Shivaraju P.,
S/o Puttamada,
Aged about 22 years.

4. Smt. Shobha,
W/o Puttamada,
Aged about 45 years.

*All are R/o Puttegowdanadoddi
Village, Maddur Taluk,
Mandya District.*

(By Sri H.L. Shivalingaiah, Advocate)

1. *Date of commission of offence* : 23.03.2021.
2. *Date of Report of offence* : 24.03.2021.
3. *Name of the Informant* : Smt. Prameela.
4. *Offences complained of* : Under Sections 504, 341,
326, 307, 506, 323, 324
r/w Section 34 of IPC.
5. *Charges framed* : Under Sections 504, 341,
307, 326, 324, 323, 506
r/w Section 34 of IPC.
6. *Date of commencement of
recording of evidence* : 05.01.2026.
7. *Date of closing of evidence* : 05.01.2026.
8. *Opinion of the Judge* : Accused persons found
not guilty.

* * * * *

J U D G M E N T

The Sub-Inspector of Police, K.M. Doddi Police Station, Mandya District, had filed this Charge-sheet against accused persons alleging that, they have committed the offences punishable under Sections 504, 341, 307, 326, 324, 323, 506 r/w Section 34 of IPC.

2. ***In brief, it is the case of the prosecution that :***

That on 23.03.2021 at about 10.00pm at Puttegowdanadoddi Village when CW-1/Prameela and CW-2/Chikkanna were in their house, accused persons with a previous enmity in connection with the previous case, came near their house, abused them in filthy language as ‘ಸೂಳೆಮಕ್ಕಳ ಹೊರಗೆ ಬನ್ನಿ’, ‘ಬಾಯಿ ಮುಚ್ಚಿ ಮುಂಡೆ’, thereby CW-1 and 2 with an intention to inform their village head, when they were going, during that time accused persons wrongfully restrained them and accused no.2 with an intention to kill CW-2 assaulted with reaper patti on his forehead, ear and eyes causing bleeding injuries to him, when CW-1 came to rescue accused no.3 assaulted her with reaper patti on her head and caused simple and grievous injuries, accused no.4 kicked her and all the accused persons threatened CW-1 and 2 with dire consequences. In that regard CW-1 lodged the complaint against the accused persons.

3. *On the basis of information given by defacto-complainant/CW-1, complainant police registered FIR against the accused persons for the offences punishable under Sections 504, 341, 307, 506, 323 r/w Section 34 of IPC and took up investigation. After completion of investigation, final report has been submitted against*

accused persons for the offences punishable under Sections 504, 341, 307, 326, 324, 323, 506 r/w Section 34 of IPC before the jurisdictional Magistrate. After complying the provisions of Section 207 of Cr.P.C., as the offences alleged against the accused is triable by the Court of Sessions, matter has been committed to this Court for trial.

4. *On receipt of records Prl. District and Sessions Judge, Mandya, has numbered the case as S.C. No.105/2023 and made over to this Court for disposal.*

5. *After hearing the accused on framing of charges, since there was sufficient material to frame charges, this Court has framed the charges and the same has been read over and explained to the accused, they had denied the charges and claimed to be tried.*

6. *Prosecution in order to substantiate the allegations made against the accused examined PW-1 to PW-4, out of 14 witnesses and got marked documents as Ex.P1 to P5 and material objects marked as MO-1 to 9.*

7. *As there is no incriminating material against the accused persons in the evidence adduced by the prosecution, examination of accused under Section 313 of Cr.P.C. was dispensed with.*

8. *Heard arguments addressed by learned Public Prosecutor and learned counsel for accused.*

9. *Perused the entire materials placed on record, the points that would arise for consideration are:*

1. *Whether the prosecution proves beyond all reasonable doubt that on 23.03.2021 at about 10.00pm at Puttegowdanadoddi Village when CW-1 and CW-2 were in their house, accused persons with a previous enmity in connection with the previous case, came near their house, abused them in filthy language, thereby accused committed an offence punishable under Section 504 r/w Section 34 of IPC ?*
2. *Whether the prosecution proves beyond all reasonable doubt that on the above said date, time and place, accused persons wrongfully restrained CW-1 and 2 from moving further, thereby accused committed an offence punishable under Section 341 r/w Section 34 of IPC ?*
3. *Whether the prosecution proves beyond all reasonable doubt that on the above said date, time and place, accused no.2 with an intention to kill*

CW-2 assaulted with reaper patti on his forehead, ear and eyes causing bleeding injuries to him, thereby accused committed an offence punishable under Section 307 r/w Section 34 of IPC ?

- 4. Whether the prosecution proves beyond all reasonable doubt that on the above said date, time and place, when CW-1 came to rescue accused no.3 assaulted her with reaper patti on her head and caused simple and grievous injuries, thereby accused committed an offence punishable under Section 324 and 326 r/w Section 34 of IPC ?*
- 5. Whether the prosecution proves beyond all reasonable doubt that on the above said date, time and place, , accused no.4 kicked CW-1 and caused pain, thereby accused committed an offence punishable under Section 323 r/w Section 34 of IPC ?*
- 6. Whether the prosecution proves beyond all reasonable doubt that on the above said date, time and place, all the accused persons threatened CW-1 and 2 with dire consequences, thereby accused committed an offence punishable under Section*

506 r/w Section 34 of IPC ?

7. What order or sentence?

10. *My findings on the above points are as under:*

*Point No.1 to 6 : In the **Negative**.*

*Point No.7 : As per final order
for the following:*

REASONS

11. **POINT No.1 to 5** : *These points are inter connected overlapping with each other and hence they are taken up for discussion together.*

12. *In brief, it is the case of the prosecution that there existed ill-will and previous enmity between the accused and the complainant in connection with a ceremony held during the Sankranti Festival. Owing to the said incident, the accused had developed hostility against the complainant.*

On 23.03.2021 at about 10.00 p.m., when PW-1, by name Prameela, and PW-2, Chikkanna, were inside their house, the accused called PW-2 outside and abused him in filthy language, stating 'ಸೂಳೆಮಕ್ಕಳ ಹೊರಗೆ ಬನ್ನಿ' and 'ಬಾಯಿ ಮುಚ್ಚಿ ಮುಂದೆ '. When PW-2 questioned the accused as to why they were abusing him in view of the previous enmity,

and upon noticing their aggressive behaviour, he decided to inform the elders of the village regarding the acts of the accused.

At that time, accused Nos.1 to 3 wrongfully restrained PW-2 and, with an intention to kill him, assaulted him with a reaper patti on his head, causing bleeding injuries. During the said incident, PW-1 intervened in an attempt to pacify the quarrel; however, accused No.4 abused her in filthy language and further pushed her.

Subsequently, when PW-3 and PW-4 arrived at the spot to pacify the quarrel, the accused threatened PW-1, PW-2, PW-3, and PW-4. Thereafter, PW-3 and PW-4 succeeded in pacifying the situation.

As PW-2 had sustained injuries, PW-1 took her husband to MIMS Hospital, Mandya, for treatment. While he was undergoing treatment at the hospital, PW-1 lodged a complaint against the accused. Based on the complaint given by PW-1, a case was registered against the accused persons for the offences punishable under Sections 504, 341, 307, 326, 324, 323, and 506 read with Section 34 of the IPC.

13. *In an attempt to prove its case, the prosecution has examined 4 witnesses as PW-1 to PW-4 and has got marked 5 documents as Ex.P1 to Ex.P5, along with material objects MO-1 to MO-9.*

14. *On perusal of the evidence led by the prosecution, it is seen that all the witnesses are material witnesses to the case of the prosecution, wherein PW-1 is the complainant and PW-2 is the victim. PW-3 and PW-4 are the eye-witnesses, who claim to have pacified the quarrel. However, all these witnesses have not supported the case of the prosecution.*

15. *PW-1, who is the complainant, has deposed that about 5 years ago, there was a festival in their village, during which people had gathered and there was pushing among themselves. During that process, her husband fell down and sustained a head injury. Thereafter, she took him to the hospital for treatment. She has further deposed that the accused never assaulted her husband, and she has also not identified the reaper patti with which the alleged assault was said to have been committed by the accused. Though she admits her signature on Ex.P1 complaint, she has stated that she never gave the complaint, nor did she produce the clothes before the*

police. Hence, she has been treated as hostile and has been cross-examined.

16. *Even during the course of cross-examination, she has deposed that the accused never assaulted her husband. Further, she has stated that she never gave any complaint against them. Though she admits that her husband had sustained injuries, she claims that he sustained such injuries under different circumstances, for which he had taken treatment. The very fact that the complainant has turned hostile before the court, who is not only an eye-witness but also the wife of the victim, gives a great blow to the case of the prosecution.*

17. *Further, the prosecution has examined the victim himself as PW-2. He has deposed on par with the evidence given by his wife, stating that about 5 years ago, during a festival in their village, a group of people had gathered, and since a large number of people were present, some persons pushed him, due to which he fell down and sustained a head injury. Thereafter, he was taken to the hospital. He has also deposed that the accused never assaulted him. Hence, this witness has also been treated as hostile and has been cross-examined.*

18. *Even during the course of cross-examination, nothing has been elicited or suggested which could help the prosecution to prove its case. The entire case of the prosecution rests on the evidence of PW-1 and PW-2, wherein both these material witnesses have turned hostile before the court. They have deposed nothing regarding the alleged incident, nor have they identified the material objects produced before the court. Furthermore, both of them have clearly deposed that the accused never assaulted them. During the course of cross-examination, when a suggestion was put to them stating that they had compromised the matter, even the said suggestion was denied by them.*

19. *Apart from the evidence of PW-1 and PW-2, the prosecution has examined PW-3 and PW-4. PW-3, namely Madappa, who is not only an eye-witness to the incident but also a witness to the mahazar marked at Ex.P3, has completely turned hostile before the court. He has deposed nothing to state that MO-1 to MO-8 were produced by him. Hence, he has also been treated as hostile and has been cross-examined. Even during the course of cross-examination, he has denied that MO-1 and MO-2 were produced by him before the police when they came to the spot to draw the mahazar. Further, he has also denied that MO-3 to MO-8 were seized by the police at his*

instance when he produced the same before them. He has denied having given any statement before the police as per Ex.P4 and has completely disowned his earlier statement.

20. *Apart from the evidence of PW-3, PW-4 has also deposed in the same manner as PW-3. He has stated that he neither witnessed any incident nor gave any statement before the police. Further, he has not identified MO-1 and MO-2. He has also been treated as hostile and has been cross-examined. During the course of cross-examination, nothing has been elicited which could assist the prosecution in establishing that any such incident had taken place. Hence, all the four material witnesses to the case of the prosecution, through whom the prosecution sought to prove its case, have turned hostile before the court. In view of the fact that the material witnesses have turned hostile, and by relying on the observations of the Hon'ble Apex Court in **Satish Mehra vs. Delhi Administration and Another, reported in 1996 SCC (Cri) 1104, (1996) 3 Crimes 85**, this Court has dropped the other witnesses.*

The Hon'ble Apex Court, in the above-referred judgment, has observed as follows:

“When the Judge is fairly certain that there is no prospect of the case ending in conviction, the valuable time of the Court should not be wasted in holding a trial only for the purpose of formally completing the procedure to pronounce the conclusion on a future date. We are under heavy pressure of workload. If the Sessions Judge is almost certain that the trial would only be an exercise in futility or a sheer waste of time, it is advisable to truncate or stop the proceedings at the stage of Section 227 of the Code itself.”

By considering that it would amount to nothing but a waste of judicial time to proceed further with the trial merely for the sake of completing formalities, this Court has closed the evidence of the prosecution.

21. *Since the star and material witnesses to the case of the prosecution have turned hostile before the Court, the prosecution has failed to prove the offences alleged against the accused persons. Accordingly, I hold that the prosecution has failed to establish the charges against the accused. Hence, **Point Nos.1 to 5 are answered in the Negative.***

22. **POINT No.6** : *In view of my findings to the above Point No.1 to 5 is negative, I proceed to pass the following :*

ORDER

Acting under Section 232 of Cr.P.C., the accused no.1 to 4 are hereby acquitted for the offences punishable under Sections 504, 341, 307, 326, 324, 323, 506 r/w Section 149 of IPC.

The bail bonds and surety bonds of accused no.1 to 4 executed as per Section 437-A of Cr.P.C. will remain in force for a period of 6 months from the date of this judgment.

MO-1 to 9 are ordered to be destroyed as worthless after appeal period is over.

*(Typed to my dictation by Stenographer-III directly on computer, corrected, signed and then pronounced by me in the Open authority, on this the **02nd day of April, 2026**)*

(Sayeedunnisa)

*II Addl. District & Sessions Judge,
Mandya.*

ANNEXURE**List of Witnesses examined for the Prosecution :**

PW-1 : Prameela.
PW-2 : Chikkanna.
PW-3 : Madappa.
PW-4 : Raghu.

List of Documents exhibited for the Prosecution :

Ex.P1 : Statement/ complaint of PW-1.
Ex.P1(a) : Signature of PW-1.
Ex.P2 : Relevant portion of statement of PW-2.
Ex.P3 : Spot mahazar.
Ex.P3(a) : Signature of PW-3.
Ex.P4 : Relevant portion of statement of PW-3.
Ex.P5 : Relevant portion of statement of PW-4.

List of Witnesses examined on behalf of Defence :

- N I L -

List of Documents exhibited for the Defence :

- N I L -

List of Material Objects exhibited by Prosecution :

MO-1 and 2 : Reaper patti.
MO-3 : Sari.
MO-4 : Blouse.
MO-5 : Petty-coat.

MO-6 : Towel.
MO-7 : Baniyan.
MO-8 : Lungi.
MO-9 : Blood stained and sample tar.

(Sayeedunnisa)
II ADJ, Mandya.

