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**IN THE COURT OF THE 1st ADDL. SENIOR CIVIL JUDGE &
JMFC AT : NAGAMANGALA**

DATED THIS THE 1st DAY OF JULY, 2026

PRESENT

SRI.NARASIMHA MURTHY M.

B.A.LLM., UGC – NET, JRF,
1st ADDL. SENIOR CIVIL JUDGE & JMFC, NAGAMANGALA

CRIMINAL CASE NO.476/2024

COMPLAINANT : The State by **BINDIGANAVILE** Police Station,
Nagamangala.

(By Asst. Public Prosecutor,)

Vs

ACCUSED

- : 1. Raju B.M.**
S/o Mariyanna,
Aged about 39 years,
- 2. Saraswathi**
W/o Raju B.M.,
Aged about 35 years,
- 3. Bhashkara B.M.**
W/o Mariyappa,
Aged about 35 years,
- 4. Umarani B.S.**
W/o Vijayabhashkara B.M.,
Aged about 33 years,

5. Hasina Banu

W/o Raghunatha B.M.,
Aged about 40 years,

6. Mariyappa

S/o Late Hanumaiah,
Aged about 75 years,

7. Raghunatha B.M.

S/o Mariyappa,
Aged about 43 years,

8. Lakshamma

All are R/at Beechanahalli village,
Bindiganavile hobli,
Nagamangala Taluk.

(By Shri. **H.J.Umesh** Advocate)

J U D G M E N T

The Sub-Inspector of Police, Bindiganavile has filed final report against the accused no.1 to 8 for the offences punishable under Sections 323, 324, 354(A), 355, 504 and 506 read with Section 149 of *Indian Penal Code*.

2. The case of prosecution in the nutshell as follows:-

On 25.06.2024 at about 1.00 p.m. at Beechanahalli village, in front of house of CW1 at Beechanahalli village accused No.1 to 8 came to the house of CW1 and picked up quarrel with her and abused her in filthy language, accused No.2 and 3 hold the

hairs of CW1 and outraged her modesty, accused No.3 assaulted CW1 by stick on her back and caused injuries, accused No.6 and 7 pushed CW1 down, accused No.8 abused her in filthy language, accused No.5 shown the slipper to CW1 and told her that she would assault her, accused No.2, 6 and 7 assaulted CW1 by hand and caused hurt and gave life threat to CW1.

In that regard, CW1 lodged FIS before the police station, Bindiganavile. Thereafter, Bindiganavile police have registered the crime in their PS Cr.No.38/2024 and issued FIR. Thereafter, the accused persons appeared before the Court and obtained bail.

3. After completion of investigation, the Investigation Officer has filed the charge sheet against the accused persons for the alleged offences. Thereafter, This Court has taken the cognizance against the accused persons for the alleged offences. In pursuant of summons, the accused persons appeared through their counsel. Thereafter, this Court has framed charge against the accused persons for the alleged offences. The accused persons denied the charge and claims to be tried.

4. In support of the case, the prosecution examined PW1 and got marked Ex.P1 to Ex.P3. There are no incriminating substance found in the evidence of prosecution witnesses against the accused. Hence, statement of accused under Section 313 of Cr.P.C., is dispensed with.

5. Heard and perused records.

6. The following points arise for my consideration:-

1. Whether prosecution proves the case beyond reasonable doubt that, on 25.06.2024 at about 1.00 p.m. in front of house of CW1 at Beechanahalli village, accused came to the house of CW1 and picked up quarrel with her and abused her in filthy language and thereby committed the offence punishable under Section 504 read with Section 149 of Indian Penal Code ?

2. Whether prosecution proves the case beyond reasonable doubt that, on the above said date, time and place, in furtherance of common object, accused No.2 and 3 hold the hairs of CW1 and outraged her modesty and thereby committed the offence punishable

under Section 324(A) read with Section 149 of Indian Penal Code ?

- 3. Whether prosecution proves the case beyond reasonable doubt that, on the above said date, time and place, in furtherance of common object, accused No.3 assaulted CW1 by stick on her back and caused injuries and thereby committed the offence punishable under Section 324 read with Section 149 of Indian Penal Code ?**
- 4. Whether prosecution proves the case beyond reasonable doubt that, on the above said date, time and place, in furtherance of common object, accused No.5 shown the slipper to CW1 and told her that you would assault her and thereby committed the offence punishable under Section 355 read with Section 149 of Indian Penal Code ?**
- 5. Whether prosecution proves the case beyond reasonable doubt that, on the above said date, time and place, in furtherance of common object, the accused No.2, 6 and 7 assaulted CW1 by hand and caused hurt and thereby committed the offence punishable**

under Section 323 read with Section 149 of Indian Penal Code ?

6. Whether prosecution proves the case beyond reasonable doubt that, on the above said date, time and place, in furtherance of common object, the accused gave life threat to CW1 and thereby committed the offence punishable under Section 506 read with Section 149 of Indian Penal Code ?

7. What order?

7. My answer to the above points are as under:-

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

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

REASONS

8. **POINT NO.1 to 6 :-** All these points are inter-related to with each other and involve in appreciation of evidence and facts. Hence, to avoid repetition, all these points are taken together for common discussion. In support of the case of the prosecution has examined PW1 and got marked Ex.P1 to Ex.P3.

9. The prosecution in order to bring home the guilt of the accused persons as stated supra, CW1 by name Sushma is the complainant in this case and she has examined as PW1. She has

deposed that, she know CW2 to CW4. On 25.06.2024 accused have not assaulted her by hand, wooden stick and not outraged her modesty and not abused her in filthy language and not gave life threat to her and police have not conducted mahazar in her presence and not seized stick. She identified FIS and mahazar at Ex.P1 and Ex.P2. She does not know the contents of Ex.P1 and Ex.P2.

PW1 has turned hostile. The learned Assistant Public Prosecutor has been cross-examined her, but no fruitful purpose is achieved.

This is all the evidence available on behalf of the prosecution to prove the charges levelled against accused.

10. I have carefully perused the materials available on record, CW1 is the complainant to the alleged incident, she has examined as PW1. In the evidence of PW1, she has denied that on 25.06.2024 accused have assaulted her by hand, wooden stick and outraged her modesty and abused her in filthy language and gave life threat to her. Hence, it creates doubt that, the alleged offences committed by the accused. The prime witness has not supported the case of prosecution and as such,

examining the other witnesses no purpose would be served and hence, other witnesses have dropped from the proceedings. The materials available on record are highly insufficient to attribute the criminal liability on the accused for the alleged offences. Hence, the prosecution has utterly failed to prove the case beyond all reasonable doubt that, the accused have committed the alleged offences punishable under Sections 504, 324(A), 324, 355, 323 and 506 read with section 149 of *Indian Penal Code*. Accordingly, I answer point No.1 to 6 are in the **NEGATIVE**.

11. POINT NO.7:- In view of the findings on above points, I proceed to pass the following :-

ORDER

In exercise of power conferred under section 248(1) of Cr.PC., the accused no.1 to 8 are hereby acquitted for the offences punishable under Sections 504, 324(A), 324, 355, 323 and 506 read with section 149 of *Indian Penal Code*.

The Bail bonds of accused no.1 to 8 and Surety Bonds shall continued for the period of 6 months.

The seized property i.e. wooden stick, is worthless and ordered to be destroyed, after expiry of appeal period.

(Dictated to the Stenographer transcribed by him, Judgment corrected and signed by me, then pronounced by me in the Open Court on this the 1st day of July, 2026)

(NARASIMHA MURTHY. M)
Ist ADDL. SENIOR CIVIL JUDGE &
JMFC., NAGAMANGALA.

ANNEXURES

LIST OF THE WITNESSES EXAMINED BY THE PROSECUTION:

PW1 : Sushma

LIST OF THE DOCUMENTS EXHIBITED FOR THE PROSECUTION:

Ex.P1 : FIS
Ex.P(a) : Signature of PW1
Ex.P2 : Mahazar
Ex.P2(a) : Signature of PW1
Ex.P3 : Further statement of PW1

LIST OF THE MOS MARKED ON BEHALF OF THE PROSECUTION:

- NIL -

LIST OF THE WITNESSES EXAMINED FOR DEFENCE:

- NIL -

LIST OF THE DOCUMENTS EXHIBITED FOR DEFENCE:

- NIL -

LIST OF THE MOS MARKED ON BEHALF OF DEFENCE:

- NIL -

(NARASIMHA MURTHY. M)
Ist ADDL. SENIOR CIVIL JUDGE & JMFC.,
NAGAMANGALA.