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**IN THE COURT OF SENIOR CIVIL JUDGE AND JMFC
AT T. NARASIPURA.**

PRESENT

SMT. PARVEEN A BANKAPUR

B.Com., L.L.B., (Spl).,

SENIOR CIVIL JUDGE AND J.M.F.C.,
T. NARASIPURA.

C.C. NO.198/2021

DATED THIS 03rd DAY OF AUGUST, 2026.

COMPLAINANT : The State of Karnataka,
Through T. Narasipura P.S.
(By A.P.P.)

Vs.

ACCUSED : 1. Mahadevaprasad
S/o Late Madanayaka,
Age: 40 years.

2. Ravikumar
S/o Late Madanayaka,
Age: 42 years.

3. Chinna Puttamma
D/o Late Madanayaka,
Age: 65 years.

4. Manjula W/o Ravikumar,
Age: 35 years.

All are R/at: Neelasoge village,
T. Narasipura taluk,
Mysuru District.

(By Sri. N.S.G.M., Advocate)

1	Date of commission of offence	*	23.05.2019.
2	Date of reporting of offence	*	24.05.2019.
3	Date of arrest of accused	*	--
4	Name of informant	*	Shivaraj M @ Ramanna.
5	Date of recording evidence	*	09.07.2026.
6	Date of closing evidence	*	09.07.2026.
7	Offence complained of	*	Sec. 341, 323, 324, 504 and 506 R/w 34 of IPC.
8	Opinion of the Judge	*	As per final order
9	State represented by	*	Learned APP
10	Accused defended by	*	Sri. N.S.G.M., Advocate.

JUDGMENT

Accused No.1 to 4 have faced trial for the offences punishable Under Sections 341, 323, 324, 504 and 506 R/w

Section 34 of Indian Penal Code upon police report filed by the T. Narasipura Police Station.

Brief facts of the case as projected by the prosecution is as under.

2. It is alleged by the prosecution that on 23.05.2019 at about 9.00 p.m., in the limits of T. Narasipura Police Station, in front of road of Peepal tree, Neelasoge village, in furtherance of common intention, with old hatred, the accused No.1 to 4, wrongfully restrained movement of C.W.1 , and accused No.3 and 4 are beaten to CW-1 by hands and kicked him with legs and accused No.2 assaulted the CW-1 with stick, accused NO.1 assaulted the CW-1 with rod, and caused simple injury and accused No.1 and 2 are abused the CW-1 and accused No.1 and 2 abused in filthy language and criminal intimation of life threat to the complainant and thereby committed the offences as stated supra.

3. After completion of investigation, I.O. has filed charge sheet against the accused. Thereafter cognizance was taken and summons was issued to the accused. Accused have appeared through their counsel in pursuance of summons and got enlarged themselves on bail.

4. Prosecution papers were furnished to the accused in compliance of Section 207 of Cr.P.C.

5. Heard Learned APP and Learned Counsel appearing for accused on Charge. As there were sufficient materials, charges Under Section 341, 323, 324, 504, 506 R/w Section 34 of Indian Penal Code were framed against the accused, same were read over and explained to the accused, who pleaded not guilty and claim to be tried. Hence the case posted for Prosecution evidence.

6. In order to establish its case Prosecution has examined complainant as PW-1 and got marked documents at Ex.P-1 and 2 and closed its side.

7. As there was no incriminating material appearing in prosecution witness, hence examination of accused Under Section 313 of Criminal Procedure Code, 1973 is dispensed with. Accused did not choose to lead evidence.

8. Heard Learned APP and Learned Counsel appearing for the accused at lengths.

9. Upon hearing arguments and on perusal of materials placed on records, following points arise for consideration:-

1) Whether prosecution proves beyond all reasonable doubts that 23.05.2019 at about 9.00 p.m., in the limits of T. Narasipura Police Station, in front of road of Peepal tree, Neelasoge village, in furtherance of common intention, unlawfully restrained the complainant and thereby committed an offence punishable Under Section 341 r/w Section 34 of Indian Penal Code?

2) Whether prosecution proves beyond all reasonable doubts that on the said date, time and place mentioned herein, accused has being enraged with the quarrel with common intention, voluntarily caused hurt to complainant by assaulting with hands and thereby committed an offence punishable Under Section 323 r/w Section 34 of Indian Penal Code?

3) Whether prosecution proves beyond all reasonable doubts that on the said date, time and place mentioned herein, accused no.1 to 4 have being enraged with the quarrel with common intention, voluntarily caused hurt to complainant by assaulting with stick and rod and thereby committed an offence punishable Under Section 324 r/w Section 34 of Indian Penal Code?

4) Whether prosecution proves beyond all reasonable doubts that on the said date, time and place mentioned herein, accused no.1 to 4 have being enraged with the quarrel with common intention, have insulted the complainant by abusing them in filthy language with intent to provoke him to break public peace or to commit any other offence and thereby committed an offence punishable Under Section 504 R/w Section 34 of Indian Penal Code ?

5) Whether prosecution proves beyond all reasonable doubts that on the said date, time and place mentioned herein, accused have being enraged with the quarrel with common intention, accused criminally intimidated the complainant by giving life threat to him and thereby committed an offence punishable Under Section 506 r/w Section 34 of Indian Penal Code?

6) What Order?

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

POINTS No. 1 to 5 : In Negative

POINT No.6 : As per final order
for the following.

REASONS

11. POINTS NO.1 to 5:- Since these points are interlinked with each other, they are taken up together for consideration in order to avoid repetition, as here under.

12. In order to bring home the guilt of the accused, prosecution has examined complainant as PW-1. PW-1 has not supported case of prosecution and turned hostile. He subjected to cross examination by learned APP. Nothing has been elicited in his cross examination. In cross examination he denied the contentions of complaint as per Ex.P-1. PW-1 denied that accused are unlawfully restrained and assaulted him. He further denied that, accused are unlawfully restrain

him and also given life threaten to him. Hence his evidence is also not useful to the case of prosecution.

13. PW-1 is the material witness, turned hostile and not supported the case of prosecution. Under such circumstances this court of the opinion that the examination of other witnesses will be futile exercise and waste of court time. Hence this court rejected the prayer of the learned APP for issuance of summons to the other witnesses. Hence other Charge Sheet witnesses were dropped as no purpose will be served by examining them. I am relying upon citation reported in **1996(3) Crimes 84 (Satish Nehra Vs Delhi Administration and another**, wherein at Para-B the Hon'ble court held 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 for hearing a trail only for the purpose of formally

completing the procedure to pronounce the conclusion on the future date"

14. The principle of law led down by the Hon'ble Supreme Court in the above case is applicable to the present case in hand.

15. On careful appreciation of evidence let on behalf of prosecution, it reveals that none of the witnesses have spoken to with regard to essential ingredients constituting offences for which accusations were made against the accused. Hence on careful and meticulous appreciation of evidence and considering the totality of circumstances, the Prosecution has failed to prove beyond all reasonable doubt that the charges leveled against the accused. Hence considering the overall circumstances of the case, I answer the **Points No.1 to 5** in **Negative**.

16. POINT No.6:- For the foregoing reasons I Proceed to pass the following,

ORDER

Acting under Section 248(1) of Criminal Procedure Code, 1973, Accused No.1 to 4 are acquitted for the offences punishable Under Section 341, 323, 324, 504, 506 R/w Section 34 of Indian Penal Code.

Bail Bonds and Surety Bonds are stands cancelled.

Material Objects seized in the above case in P.F. Nos.127/2019 are worthless it ordered to destroyed on expiry of appeal period prescribed U/S 452(4) Cr.P.C.

(Dictated to the Stenographer directly on Computer, typed by him, corrected and then pronounced by me in the open court on this 03rd day of August, 2026)

(PARVEEN A BANKAPUR),
Senior Civil Judge and JMFC,
T. Narasipura.

A N N E X U R E**1. WITNESS EXAMINED FOR THE PROSECUTION:-**

P.W.1 : Sri. Shivaraju.

2. DOCUMENTS MARKED FOR THE PROSECUTION:-

Ex.P.1 : F.I.S.

Ex.P.1(a) : Signature of P.W.1.

Ex.P.2 : Further statement of P.W.1.

3. WITNESS EXAMINED FOR THE DEFENCE:-

- N I L -

4. DOCUMENT MARKED FOR THE DEFENCE:-

- N I L -

(PARVEEN A BANKAPUR),
Senior Civil Judge and JMFC,
T. Narasipura.

(Separate Judgment is passed and pronounced in the open court)

ORDER

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Senior Civil Judge and JMFC,
T. Narasipura.

