

KAMS700008632024



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

PRESENT

SRI. HANUMANTHA G.H.

B.A.L., LL.M.

Senior Civil Judge and JMFC,
T. Narasipura.

C.C. NO.274/2024.

DATED THIS 02nd DAY OF MAY, 2026.

COMPLAINANT

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

Vs.

ACCUSED

: Ningaraju G @ Chinnu
S/o Girish,
Age: 20 years,
R/at: Vatalu village,
T. Narasipura taluk,
Mysuru District.

(By Sri. Krishnamurthy M, Advocate)

- | | | |
|------------------------------|---|-------------|
| 1. Date of offence | : | 28.11.2023. |
| 2. Date of report of offence | : | 28.11.2023. |
| 3. Date of arrest of accused | : | - - - - |

4. Date of release of him : - - - -
5. Name of the first informant : B. Manohara Raje Urs.
6. Date of commencement of evidence. : 27.02.2026.
7. Date of closure of evidence : 13.03.2026.
8. Offences alleged : Section 363 of IPC.
9. Opinion of the P.O. : Accused is not found guilty.
10. Complainant Rep. By : A.P.P.
11. Accused Rep. By : Sri. Krishnamurthy M, Advocate.

(HANUMANTHA G.H.),
Senior Civil Judge and JMFC,
T. Narasipura.

J U D G M E N T

The P.S.I. of T. Narasipura P.S. has filed the charge sheet against the accused for the offence punishable under Sections 363 of IPC.

2. The case of the prosecution is that:-

On 28.11.2023 at about 02.45 A.M. the accused kidnapped C.W.2 from her house situate at Vatalu village of T. Narasipura taluk. Thus, the accused has committed the above offence.

3. On receipt of the charge sheet, the cognizance of the offence is taken and summons is issued to him. On appearance of him, he is enlarged on bail and the copy of charge sheet is furnished to him as per Section 230 of B.N.S.S.

4. The charge for the above offence is framed, read over and explained to the accused. He has not pleaded guilty, but claimed to be tried.

5. The prosecution has got 3 witnesses examined as P.Ws.1 to 3 and got 7 documents marked as Exs.P.1 to 7 to prove its case.

6. The examination of the accused under Section 351 of B.N.S.S is dispensed with since there are no incriminating circumstances in the evidence of the prosecution witness.

7. The bail bond of the accused and surety is taken as per Section 481 of B.N.S.S.

8. I have heard the arguments of both sides and perused the materials on record.

9. The points for consideration are as under:-

1. Whether the prosecution has proved beyond all reasonable doubts that on 28.11.2023 at about 02.45 A.M. the accused kidnapped P.W.2 from her house situate at Vatalu village of T. Narasipura taluk and thereby the accused has committed the offence punishable under Section 363 of I.P.C?

2. What Order?

10. The answers to the above points are:-

Point No.1 : In the negative.

Point No.2 : As per final order.

R E A S O N S

11. POINT NO.1:- P.W.1 is the first informant. P.W.2 is the victim. P.W.3 is the mother of P.W.1. They have completely denied the case of the prosecution. Though the F.I.S. and the spot mahazar are marked through P.W.1 as Exs.P.1 and 2 respectively, he has denied the contents of them. Though the statement under Section 164(5) Cr.P.C is

marked through P.W.2 as Ex.P.4, she has denied the case of the prosecution. P.Ws.1 to 3 have also denied the case of the prosecution even in the cross-examination of them made by learned A.P.P. Hence, the further statement of P.W.1, the statements of P.W.2 and the statement of P.W.3 are marked as Exs.P.3, 5 to 7 respectively.

12. P.Ws.1 to 3 being the material witnesses have not supported the case of the prosecution. Therefore, the prayer of learned A.P.P. seeking issuance of summons to other witnesses is rejected. There is complete absence of evidence on record to hold that the prosecution has proved its case. Therefore, the accused needs acquittal. Accordingly, the **point No.1** is answered in the **negative**.

13. POINT NO.2:- In view of the finding on the point No.1, I proceed to pass the following:-

ORDER

The accused is not found guilty for the offence punishable under Section 363 of IPC. Hence, acting under Section 271(1) of B.N.S.S., he is acquitted of the above offence.

The bail bond of the accused and surety taken at trial stage stand canceled.

The bail bond of the accused and surety taken as per Section 481 of B.N.S.S will exist for a period of 6 months from this date.

(Dictated to the Stenographer directly on Computer, typed by him, corrected and then pronounced by me in the open court on this 02nd day of May, 2026)

(HANUMANTHA G.H.),
Senior Civil Judge and JMFC,
T. Narasipura.

A N N E X U R E

1. WITNESSES EXAMINED FOR THE PROSECUTION:-

P.W.1 : Manohar Raje Urs.
P.W.2 : Yashashwini.
P.W.3 : Venkatalakshmi.

2. DOCUMENTS MARKED FOR THE PROSECUTION:-

Ex.P.1 : F.I.S.
Ex.P.1(a) : Signature of P.W.1.
Ex.P.2 : Spot mahazar.
Ex.P.2(a) : Signature of P.W.2.
Ex.P.3 : Further statement of P.W.1.

- Ex.P.4 : Statement under Section 164 of CrPC.
Ex.P.4(a) : Signature of P.W.2.
Ex.P.5 : Statement of P.W.2.
Ex.P.6 : Statement of P.W.2.
Ex.P.7 : Statement of P.W.3.

3. WITNESS EXAMINED FOR THE DEFENCE:-

- N I L -

4. DOCUMENT MARKED FOR THE DEFENCE:-

- N I L -

(HANUMANTHA G.H.)
Senior Civil Judge and JMFC,
T. Narasipura.

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

ORDER

The accused is not found guilty for the offence punishable under Section 363 of IPC. Hence, acting under Section 271(1) of B.N.S.S., he is acquitted of the above offence.

The bail bond of the accused and surety taken at trial stage stand canceled.

The bail bond of the accused and surety taken as per Section 481 of B.N.S.S will exist for a period of 6 months from this date.

Senior Civil Judge and JMFC,
T. Narasipura.