



Presented on : 23-04-2024
Registered on : 23-04-2024
Decided on : 23-04-2026
Duration: 2 years, 0 months, 0 days

**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE AND
JMFC., AT LINGASUGUR.**

Present: SRI.AMBANNA.K.,

B.COM., LL.B.[Spl.]

Prl., Cvil Judge & JMFC, Lingasugur.

Dated this the 23rd day of April, 2026.

CC.NO.299/2024.

COMPLAINANT : State by Lingasuru police station.

(By Learned A.P.P., Lingasugur.)

V/s

ACCUSED : Siddaruda S/o Sharanappa Talli,
Age: 24 years,
R/o Gudadanal Village,
Tq: Lingasugur, Dt: Raichur.

(By Sri A.A.G., Advocate.)

Date of commission of offence	09-03-2023
Date of report of offence	06-02-2024
Date of arrest of accused	Not arrested
Name of the complainant	Ramappa.
Date of recording of evidence	18.12.2025.
Date of closing of evidence	17-04-2026.
Offences complained of	U/Sec.341, 323, 353, 504 and 506 of IPC.
Opinion of the Judge	Accused not found guilty.



J U D G M E N T

The A.S.I. of Lingasugur Police Station, Lingasugur has filed charge sheet against the accused for the offences punishable Under Sections 341, 323, 353, 504 and 506 of Indian Penal Code.

2. The brief facts of the prosecution case is as under:

That on 09-03-2023 at 5.00 PM., the driver of KSRTC Bus bearing No.KA.28-F-1781 CW.4 and conductor of bus CW.1 were going to Amareshwara Temple to Lingasugur town, while near the bus-stand of Honnalli Village, the accused suddenly came in TATA Masic vehicle, infront of bus to obstruct the bus without leaving way to bus. When all passengers went in the KSRTC bus, on that time near the house of Amaresh at Devarbhupur Village, the accused again wrongfully restrained CW.4's from further moving and discharging their duty as public servant by holding his shirt and assaulted on face and back of CW.4 with hands. Further the CW.1, 5 to 7 have pacified the quarrel. Thereafter the accused has threatened them with dire consequences and thereby the accused person have committed the aforesaid offences.

3. Upon first information given by one Ramappa who is the first informant a case has been registered in Cri.No.55/2023 in Lingasugur Police Station and FIR has been sent to the court. The police had been to the spot and conducted the spot mahazar in the presence of the witnesses. Thereafter, the police have recorded the statement of the witnesses. On completion of the investigation they filed the charge sheet against the accused for the alleged offences.



4. Upon filing of the charge sheet cognizance was taken. In pursuance of summons the accused persons put their appearance through their counsels and got enlarged on bail. The copies of the charge sheet and other prosecution papers were furnished to the accused in compliance of section 207 of Cr.P.C. After hearing the accused, charge framed against the accused for the offence punishable under sections 341, 323, 353, 504 and 506 of Indian Penal Code and read over and explained to the accused persons. They pleaded not guilty and claimed to be tried. Then the matter has been posted for prosecution evidence.

5. In support of the case, the prosecution has examined 10 witnesses as PW.1 to 10 and got marked documents at Ex.P.1 to Ex.P.11. The statement of the accused person as required under section 313 of Cr.P.C has been recorded for which the accused persons denied all the incriminating circumstances against them appeared in the prosecution evidence. Further they have not chosen to lead any defense evidence. Then the case is posted for arguments.

6. Heard the arguments of learned A.P.P for state and counsel for the accused persons and perused the materials available on record.

7. The points would arise for my determination are:

1. Whether the prosecution proves beyond all reasonable doubts that on 09-03-2023 at 5.00 PM., the driver of KSRTC Bus bearing No.KA.28-F-1781 CW.4 and conductor of bus CW.1 were going to Amareshwara Temple to Lingasugur town, while near the bus-stand of Honnalli Village, the accused suddenly came in TATA Masic vehicle in front of bus and wrongfully restrained them and



near the house of Amaresh at Devarbhupur Village, the accused again wrongfully restrained CW.4 from further moving and thereby committed the offence punishable U/Sec.341 of IPC ?

2. Whether the prosecution further proves beyond all reasonable doubts that on the aforesaid date, time and place in the manner stated above, accused person abused CW.4 in filthy language like “ ಸೂಳೇ ಮಗನೇ ” without their being any provocation, insulting him and provoking to break public peace and thereby committed the offence punishable U/Sec.504 of IPC ?

3. Whether the prosecution further proves beyond all reasonable doubts that on the aforesaid date, time and place in the manner stated above, accused person caused wrongful obstruction to CW.1 and 4 from discharging their duty as public servant and thereby committed the offence punishable U/Sec.353 of IPC ?

4. Whether the prosecution further proves beyond all reasonable doubts that on the aforesaid date, time and place in the manner stated above, accused person assaulted CW.4 on his face and back with hands and voluntarily caused simple hurt to them and thereby committed the offence punishable U/Sec.323 of IPC ?

5. Whether the prosecution further proves beyond all reasonable doubts that on the aforesaid date, time and place in the manner stated above, accused person threatened to kill CW.1 by saying “ಲೇ ಸೂಳೇ ಮಗನೇ ಬಸ್ಸನ್ನು ಇನ್ನೊಮ್ಮೆ ತೆಗೆದುಕೊಂಡು ಬಂದರೆ ನಿನ್ನ ಜೀವ ತೆಗೆಯುತ್ತೇನೆ ” and thereby committed offence punishable U/sec.506 of IPC ?

6. What Order ?

8. The answer to the above points are:

Point No.1 to 5 : In the Negative.

Point No.6 : As per the order here below ;



REASONS

9. Points No.1 to 5 :- I have taken these points together for common discussion for the sake of convenience and brevity.

It is well settled that in a criminal case the entire burden is upon the prosecution to prove the alleged offences against the accused as per section 101 of evidence Act. The accused need prove nothing. Suffice for the accused to create doubt about the admissibility as to the evidence of the prosecution witness.

10. In order to prove it's case, the prosecution has examined 8 witnesses, wherein the PW.1 Ramappa who is the first informant has deposed that, on 09-03-2023 at 5.00 PM., he is the conductor and CW.4 is the driver of KSRTC Bus bearing No.KA.28-F-1781 were going to Amareshwara Temple to Lingasugur town, while near the bus-stand of Honnalli Village, the accused suddenly came in TATA Masic vehicle, in front of bus to obstruct the bus without leaving way to bus. When all passengers went in the KSRTC bus, on that time near the house of Amaresh at Devarbhupur Village, the accused again wrongfully restrained CW.4's from further moving and discharging their duty as public servant by holding his shirt and assaulted on face and back of CW.4 with hands. Further the CW.1, 5 to 7 have pacified the quarrel. Thereafter the accused has threatened them with dire consequences. Thereafter he went to the hospital and took treatment and referred to Naveen Hospital Raichur for higher treatment. Thereafter he gave complaint to the police station. The complaint is marked as Ex.P.1 and signature at Ex.P.1(a). Thereafter police have conducted the spot Mahazar in presence of CW.2 and 3 at 10-00 Am to 11-00 Am and snapped photo. The FIR is marked at Ex.P.2 and his signature at Ex.P.2(a).



The spot mahazar is are marked at Ex.P.3 and his signature is Ex.P3(a). The Photographs is marked at Ex.P.4.

11. In the cross-examination, he has admitted that, he made typewrite the complaint near old court. It is admitted that, he did not give any statement before the police except compliant. It is admitted that, there is a difference in Ex.P.1(a) and another signature. He is unable to say the registration number of TATA Magic vehicle. Further he denied all the suggestions put by the accused.

12. CW/4-PW.4 Basavaraja, who is the driver of the bus, has reiterated the version of CW.1 in his chief examination. During the cross-examination he has stated that, he did not know as to what is written in the his statement. Further he clearly admitted that, he came to know the name of the accused as Siddaruda today only. Further he denied all the suggestions put by the accused.

13. CW.2/PW.2 Manjunatha, CW.3/PW.3 Manjunatha who are the spot Mahazar witnesses have completely turned up hostile to the case of prosecution by denying the contents of spot mahazar. The learned Assistant Public Prosecutor cross-examined them, but nothing worth has been elicited from their mouth to prove the case of prosecution. The PW-2 and 3 denied the entire case of the prosecution in their cross-examination.

14. CW.5/PW.5 Shankargouda, CW.6/PW.6 Ramesh, CW.7/PW.7 Manjunath, who are the eye and independent witnesses to the incident have completely turned up hostile to the case of prosecution by denying the statements given before the



police. The learned Assistant Public Prosecutor cross-examined them, but nothing worth has been elicited from their mouth to prove the case of prosecution. The PW-5 to 7 denied the entire case of the prosecution in their cross-examination.

15. PW.8 Dr.Pampamma who is deposed that, on 09-03-2023 at 05-30 PM., the CW.4 came to the hospital in history of assault. On examining the CW.4 there was scratch wounds on forehead. She issued wound certificates at Ex.P.8 and her signatures at Ex.P.8(a). During the cross-examination she has admitted that, the wound shown at Ex.P.8 might be caused if a person fell down on the hard surface.

16. PW.10 Nagappa, who is the IO has deposed that, on 10-03-2023 at 06-30 Pm., he received complaint from the CW.1 and registered the case in Crim.No.59/2023. On 11-03-2023 he visited the spot and conducted the mahazar in presence of CW.2 and 3 in between 10-00 to 11.00 AM and photo was taken. On the same day he recorded statement of CW.1, 4 to 7. On 07-06-2023 he handed over the case file to CW.11. The compliant is marked at Ex.P.1 and his signature at Ex.P.1(b). the FIR marked at Ex.P.2 and his signature at Ex.P.2(b). The Mahazar is marked Ex.P.3 and his signature at Ex.P.3(b). The Photo is marked at Ex.P.4 and his signature at Ex.P.4(a). during the cross-examination he has admitted that he has not give any notice to the panch witnesses. Further he admitted that, there is a delay of one in filing compliant.

17. PW.9 Hanumanthappa, who is the IO. Has deposed that, on 07-06-2023 he received case file complaint from CW.10. On 02-07-2023 he obtained the wound certificate of CW.4. on 05-02-2024



he obtained the duty certificate of CW.1 and 4. On 06-02-2024 on completion of the investigation he has filed charge sheet against the accused persons. The wound certificate is marked Ex.P.8 and his signature at Ex.P.8(b). The letter is marked at Ex.P.9 and his signature at Ex.P.9(a). The Duty certificate is marked Ex.P.10 and his signature at Ex.P.10(a). The Bus documents are marked Ex.P.11 and his signature at Ex.P.11(a). During the cross-examination he has admitted that, the time is not mentioned in the wound certificate and bus documents. Further he denied that he filed false case against the accused persons without proper investigation.

18. On appreciation and evaluation of the prosecution evidence which reveals that, PW.1 and PW.4 who are the conductor and driver of the bus No.KA.28-F-1781 were assigned duty to go Amareshwara Jatra. It is important note here that, the CW.5, 6 and 7 who are the eye and independent witnesses have not supported the case of prosecution. Further they denied the statements given before the police. If really the incident was occurred, the CW.5, 6 and 7 who being the General public, ought to have supported the case of prosecution. It is important to note here that, the official witnesses have naturally supported the case of prosecution, but their evidence needs corroboration of independent witnesses. Moreover the PW.2 and 3 who are the spot mahazar witnesses have also not supported the case of prosecution and he denied the contents of Ex.P.3 Mahazar which would create a doubt as to whether the police have conducted the spot mahazar in the spot or not.



19. It is fundamental principles of Criminal Jurisprudence that the prosecution has to prove its case all reasonable doubt. On perusal of the prosecution evidence there are so many discrepancies, omissions and contradiction appeared. Therefore the conviction cannot be based on such evidence. Absolutely there is nothing on record to prove that the accused person at any time abused, beaten, threatened and deterred to CW-1 and CW-4 and thereby committed offences punishable U/Sec.341, 323, 353, 504 and 506 of Indian Penal Code. In the result the prosecution has failed to prove the guilt against the accused person beyond all reasonable doubts. The benefit of doubt would goes to accused person. **Therefore, the points No.1 to 5 are answered in the Negative.**

20. Point No.6: In view of the answer given to Points No.1 to 5, this court proceed to pass the following :

ORDER

In exercise powers conferred under Section 248(1) of Cr.P.C., the accused is acquitted of the offences punishable Under Sections 341, 323, 353, 504 and 506 of Indian Penal Code.

The bail bonds and surety bonds of the accused shall be continued for



**a period of 6 months as per section
437(A) of Cr.P.C.**

(Dictated to the stenographer directly on the computer, printout then revised, corrected, signed and pronounced by me in Open Court on this the 23rd day of April, 2026.)

**(AMBANNA.K)
Prl., Civil Judge and JMFC.,
Lingasugur.**

ANNEXURE

List of witnesses examined on behalf of prosecution:

**PW.1 : Ramappa.
PW.2 : Manjunath.
PW.3 : Manjunath.
PW.4 : Basavaraja.
PW.5 : Shankargouda.
PW.6 : Ramesh.
PW.7 : Manjunath.
PW.8 : Dr.Pampamma.
PW.9 : Hanumantappa.
PW.10 : Nagappa.**

List of witnesses examined on behalf of accused:

-NIL-

List of documents exhibited on behalf of prosecution:

**ExP.1 : Complaint.
Ex.P1(a)(b) : Signatures.
Ex.P2 : FIR.**



Ex.P.2(ab) : Signatures.
Ex.P.3 : Mahazar.
Ex.P3(abc) : Signatures.
Ex.P.5 to 7 : Statements.
Ex.P.8 : Wounds certificate.
Ex.P.9 : Letter issued to KSRTC.
Ex.P.9(a) : Signature.
Ex.P.10 : Duty certificate.
Ex.P.10(a) : Signature.
Ex.P.11 : Documents of bus.
Ex.P.11 : Signature.

List of documents exhibited on behalf of accused:

-NIL-

Prl., Civil Judge and JMFC.,
Lingasugur.