

KARN210004872017



**IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE
& J.M.F.C., AT CHANNAPATNA**

: PRESENT :

SRI.VENKATESHAPPA V, B.A., LL.B.,
Prl. Senior Civil Judge & JMFC,
Channapatna.

Dated this the 20th day of June - 2026

C.C.No.173/2017

COMPLAINANT :

State represented by : M.K.
Doddi Police Station,
Channapatna, Ramanagara
District.

**(Represented by Assistant
Public Prosecutor)**

-VS-

ACCUSED :

1. Sri. Nandaraja S/o Late
Rajaiah, Aged about 45 years.
2. Smt. Manjula W/o
Nandaraju, Aged about 30
years.



3. Smt. Puttarajamma D/o late Rajaiah, Aged about 48 years.

4. Smt. Shivamma W/o late Rajaiah, Aged about 65 years.
(Dead) All are R/at: Bevooru Village, Channapatna Taluk, Ramanagara District.

(Accused No.1 to 3 are Represented by Sri.M.R.S, Advocate, Accused No.4 is dead)

Date of commission of Offence	of :	07.11.2016
Date of report of offence	:	07.11.2016
Name of the complainant	:	Smt. K M Rathnamma
Date of commencement of evidence	:	29.11.2019
Date of closing of evidence	:	06.01.2026
Offence complained of	:	Under Section. 504, 323, 324, 325, 506 R/w Sec.34 of I.P.C.
Opinion of Judge	:	Accused found not guilty for the offences punishable U/Section 504, 323, 324, 325, 506, R/w Sec.34 of I.P.C.

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**Prl. Senior Civil Judge & JMFC.,
Channapatna**



JUDGMENT

The PSI of M.K. Doddi Police Station has filed charge sheet against accused No.1 to 4 (**Accused No.4 dead**) for the offences punishable U/Section 504, 323, 324, 325, 506 R/w Sec.34 of I.P.C.

2. The brief facts of the prosecution case is that the houses of complainant, Prosecution witness/CW2 & accused persons are situated side by side at Bevuru Village. On 07.11.2016 in the morning at about 7.00 a.m, the accused persons insisted to the complainant and prosecution witness/CW2 that do not roam and teather cattle between houses of accused persons and complainant. Thereafter the accused persons insulted the complainant with filthy language, the accused No.2 & 3 caught crest of complainant and dragged her. The accused No.2 assaulted the complainant with club. The accused No.1 & 4 made quarrel with the prosecution witness/CW2 and accused No.1 bit right



cheek of complainant and assaulted on her both hands with the iron pipe and caused injuries. Thereafter, accused persons threatened to kill the complainant if she again roam over middle portion situated between houses of accused persons and complainant. These are the facts giving rise to file charge sheet against the accused persons.

3. The I.O. has filed charge sheet against accused persons for the alleged offence. After service of summons, the accused persons appeared before this Court and enlarged on bail. The prosecution papers furnished to the accused persons as per Section.207 Cr.P.C. After hearing, the charge is read over and explained to the accused persons. They pleaded not guilty and claims to be tried. Hence, the case was posted for prosecution evidence.

4. The prosecution cited 10 witnesses. Out of them, 09 witnesses have been examined as PW.1 to



PW.9 and got marked documents as Exs.P.1 to P.6 and M.O.1& M.O.2. The incriminating material appeared in the evidence read over and explained to the accused persons in the language known to them duly as required U/sec.313 of Cr.P.C. The accused persons denied the entire prosecution case.

5. Heard the arguments. Perused the documents on records.

6. The points would arise for my consideration as follows:

POINTS

1. Whether the prosecution proves beyond all reasonable doubt that on 07.11.2016 in the morning at about 7.00 a.m, the accused persons insisted to the complainant and prosecution witness/CW2 that do not roam and teather cattle between houses of accused persons and complainant and thereafter insulted the complainant with the filthy language and thereby committed an offence punishable U/sec.504 r/w 34 of I.P.C?



2. Whether the prosecution proves beyond all reasonable doubt that, on the above mentioned place, date and time, all the accused persons in furtherance of common intention, the accused No.2 & 3 caught crest of complainant/CW1, dragged her and thereby committed offence punishable U/sec.323 r/w Sec. 34 of I.P.C?
3. Whether the prosecution further proves beyond all reasonable doubt that on the above mentioned place, date and time, all the accused persons in furtherance of common intention, the accused No.1 & 4 made quarrel with the prosecution witness/ CW2 and accused No.1 bit right cheek of Complainant/CW1 and thereby committed an offence punishable U/sec.325 of IPC ?
4. Whether the prosecution further proves beyond all reasonable doubt that on the above mentioned place, date and time, all the accused persons in furtherance of common intention, the accused No.2 assaulted the complainant/CW1 with club and the accused No.1 assaulted complainant on her both hands with the iron pipe and caused injuries and thereby, committed an offence punishable U/sec.324 of I.P.C ?
5. Whether the prosecution further



proves beyond all reasonable doubt that on the above mentioned place, date and time, all the accused persons in furtherance of common intention, all accused persons threatened to kill the complainant if she again roam over the middle portion situated between the houses of accused persons and Complainant/ CW1 and thereby, committed an offence punishable U/sec.506 r/w Sec. 34 of I.P.C?

6. What order?

7. My finding to the above points are as under :

Point No.1	:	In the Negative.
Point No.2	:	In the Negative.
Point No.3	:	In the Negative.
Point No.4	:	In the Negative.
Point No.5	:	In the Negative.
Point No.6	:	As per the final order for the following:

REASONS

8. **POINT Nos.1 to 5:** These points are interlinked with each other and thereby they are taken up together in order to avoid repetition of facts.



9. PW1 is Complainant, PW2 is Victim, PW3 & PW5 are Eye witnesses, PW4 & PW9 are Spot Mahazar, PW6 is Doctor, PW7 & PW8 are Investigation Officer.

10. The prosecution alleges that the houses of complainant, Prosecution witness/CW2 & accused persons are situated side by side at Bevooru Village. On 07.11.2016 in the morning at about 7.00 a.m, the accused persons insisted to the complainant and prosecution witness/CW2 that do not roam and teather cattle between houses of accused persons and complainant. Thereafter the accused persons insulted the complainant with filthy language, the accused No.2 & 3 caught crest of complainant, dragged her. The accused No.2 assaulted the complainant with club. The accused No.1 & 4 made quarrel with the prosecution witness/CW2 and accused No.1 bit right cheek of complainant and assaulted on her both hands with the iron pipe and caused injuries.



Thereafter, accused persons threatened to kill the complainant if she again roam over middle portion situated between houses of accused persons and complainant. It is stated in the Complaint/Ex.P1 that Accused No.2 & 3 abused the complainant. But there is no specific abusing words stated in the complaint/Ex.P1. Further the complaint/P1 deposed nothing about specific abusing words used by the accused persons.

11. It is stated in the complainant/Ex.P1 that Accused No.2 & 3 assaulted the complainant with club and pipe. But the complainant/PW1 deposed in his chief-examination that accused No.1 assaulted with the club and pipe on right hand and left leg. There is contradiction between the complaint/Ex.P1 and deposition made by the complainant/PW1. The complainant/PW1 deposed in his chief-examination that Spot mahazar was conducted after two-three days



from the date of incident. But as per Spot Mahazar Ex.P2 which reveals that Spot mahazar was conducted on the same date in the evening at about 4. p.m to 5.pm. There is contradiction statement made by complainant regarding conducting of Spot Mahazar. It is stated in the complainant/Ex.P1 that accused No.1 assaulted the husband of complainant on his right hand and left leg with the pipe. But prosecution witness/CW2 deposed in his chief-examination that the accused No.2 & 3 assaulted on his back bone and left leg with the club. There is contradiction statement between the complainant/PW1 and deposition given by prosecution witness/CW2 before this court. The prosecution witness/CW2 deposed in his cross-examination that blood was stained to his cloth. But police have not seized the blood stained clothes and produced before this court. There is contradiction statement given by Complainant/PW1and prosecution



witness/CW2. The prosecution examined the Eye witness as PW.3 & PW5 deposed nothing in-favour of prosecution case. The Eye witness as PW.3 & PW5 turned hostile, not supported the prosecution case. The learned APP nothing elicited anything during cross-examination of PW.3 & PW5 in-favour of prosecution case. The spot mahazar witnesses as PW.4 & PW.9 deposed nothing in-favour of prosecution case. The spot mahazar witnesses as PW.4 & PW.9 turned hostile, not supported the prosecution case. The learned APP nothing elicited anything during cross-examination of PW.4 & PW.9 in-favour of prosecution case. The evidence of Doctor/PW6 and evidence of investigation officer/PW.7 & PW.8 does not helpful to the prosecution of case as no reliable and credible evidence of eye witness and spot mahazar witnesses. There is no material and reliable evidence in support of the prosecution case. Furthermore, whereas



prosecution must prove the guilt of an accused persons beyond all-reasonable doubt. The standard of proof so as to prove a defence on the part of an accused persons in preponderance of probabilities. 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 accused persons have committed the offences as aforesaid. Hence, considering the overall circumstances of the case. ***I answer the point Nos.1 to 5 In Negative.***

12. **POINT NO.6:** For the foregoing reasons, this court has arrived at an opinion that, prosecution has failed to put-forth sufficient evidence on record. Therefore, doubt arises in the case of the prosecution. Thus, by extending the benefit of doubt to the accused person, I proceed to pass the following:



ORDER

Acting under Section 248(1) of Cr.P.C., the Accused No.1 to 4 are hereby acquitted for the offences punishable under Section 504, 323, 324, 325, 506 R/w Sec.34 of I.P.C. **(Accused No.4 is dead)**

Bail bond shall stand canceled.

Office is hereby directed to PR No.09/2019 dated 19.02.2019 i.e., M.O.1 – 2 feet long 3 finger size iron tube pipe shall be confiscated to state after appeal period is over.

Office is hereby directed to PR No.09/2019 dated 19.02.2019 i.e., M.O.2 2.5 feet of club shall be destroyed after appeal period is over.

(Dictated to the Stenographer on online computer, corrected, initialed and then pronounced by me in the open court on this the **20th day of June 2026**)

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Channapatna**



ANNEXURE

List of witnesses examined on behalf of the prosecution :

PW1	:	Smt. K.M Rathanamma
PW2	:	Sri.Jagadish
PW3	:	Sri.Lakshmmanna
PW4	:	Sri.Ramesh
PW5	:	Sri.Manu
PW6	:	Dr.Mahendrakumar
PW7	:	Sri.Jayalingappa
PW8	:	Sri.Shiva Kumar H.M
PW9	:	Sri.Kumar @ Basavaraju

List of documents marked on behalf of the prosecution:

Ex.P1	:	Complainant
Ex.P1(a)	:	Signature of complaint
Ex.P1(b)	:	Signature of PW.7
Ex.P2	:	Mahazar
Ex.P2(a)	:	Signature of Mahazar
Ex.P2(b)	:	Signature of PW.4
Ex.P2(c)	:	Signature of PW.7
Ex.P3	:	Statement of PW.3
Ex.P3(a)	:	Signature of PW.7



Ex.P4 : Statement of PW.5
Ex.P5 : Wound Certificate
Ex.P5(a) : Signature of PW.6
Ex.P5(b) : Signature of PW.8
Ex.P6 : FIR
Ex.P6(a) : Signature of PW.7

List of witnesses examined on behalf of the accused:

-NIL-

List of documents marked on behalf of the accused:

-NIL-

List of material objects marked for prosecution:

M.O.1 : Iron Pipe
M.O.2 : Club

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