



**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE AND
J.M.F.C., AT MAGADI.**

~: Present :~

Sri. SHRINIVASA. K.R, B.A.L., LL.M.,
Prl. Civil Judge & J.M.F.C.,
Magadi.

DATED THIS THE 26th DAY OF MARCH, 2026

CRIMINAL CASE No.1868/2024

COMPLAINANT: The State through Magadi.P.S.

(By Asst. Public Prosecutor)

//Versus//

**ACCUSED
PERSONS:-**

1. Thilak,
S/o Late Muddurangaiah,
Aged about 19 years,
Residing at Dandigepura Village,
Kasaba Hobli, Magadi Taluk,
Ramanagara District.
2. Netravathi,
W/o Late Muddurangaiah,
Aged about 45 years,
Residing at Dandigepura Village,
Kasaba Hobli, Magadi Taluk,
Ramanagara District.

(By Sri.C.K.R., Advocate)



1. Date of commencement of offence : 29.01.2025
2. Date of report of offence : 30.01.2024
3. Name of the complainant : Smt.Rajamma.
4. Date of commencement of recording evidence : 06.09.2025
5. Date of closing evidence : 06.03.2026
6. Offences complained of : 324, 504 & 506 R/w. Sec.34 of IPC.
7. Date of Judgment : 26.03.2026
8. Opinion of the Judge : Accused not found guilty.

**Prl. Civil Judge & J.M.F.C.,
Magadi**

J U D G M E N T

The present case registered against the accused persons by Magadi P.S., vide Cr.No.21/2024 for offences alleged to have been committed U/Sec.324, 504, 506 R/w. Sec.34 of IPC, and after completing the investigation, the I.O. submitted



the charge sheet for the offence punishable under section 324, 504, 506 R/w. Sec.34 of IPC, before this court accordingly.

2. **Brief facts of the prosecution case are that;**

CW-1 lodged information stating that, on 29.01.2025 at about 6:30 p.m. at Dandigepura Village, Magadi Taluk, accused picked up quarrel with CW-1 and abused CW-1 in filthy language and accused No.1 assaulted CW-1 by club and accused No.2 assaulted CW-1 by rod on her back and caused simple injuries and accused persons gave life threat to CW-1. Hence, present complaint is filed.

3. The accused persons secured and enlarged on bail. Prosecution paper have furnished to the accused persons in compliance of Section 207 of Cr.P.C., heard before charge, no grounds to discharge them at that stage. The charge framed against the accused persons for the offences punishable under section 324, 504, 506 R/w. Sec.34 of IPC, and read over



to the accused persons, accused No.1 and 2 not pleaded guilty and claims to be tried.

4. The prosecution has examined 7 witnesses as PW-1 to PW-7 out of 7 witnesses and got marked 5 documents as Ex.P-1 to Ex.P-5.

5. After closure of prosecution evidence, accused No.1 and 2 have been examined under Sec.313 of Cr.P.C., and denied the incriminating circumstances appearing against them in the prosecution evidence and not chosen to enter defence evidence.

6. Heard the arguments of learned APP and counsel for accused.

7. After hearing both side the following points arise for determination :

P O I N T S

1. Whether the prosecution proves beyond all reasonable doubt that, on 29.01.2025 at



about 6:30 p.m. at Dandigepura Village, Magadi Taluk, accused picked up quarrel with CW-1 and abused CW-1 in filthy language and thereby committed an offence punishable **U/sec.504 R/w.Sec.34 of IPC ?**

2. Whether the prosecution proves beyond all reasonable doubt that, on above said date, time and place, accused No.1 assaulted CW-1 by club and accused No.2 assaulted CW-1 by rod on her back and caused simple injuries and thereby committed an offence punishable **U/sec. 324 R/w.Sec.34 of IPC ?**
3. Whether the prosecution proves beyond all reasonable doubt that, on above said date, time and place, accused persons gave life threat to CW-1 and thereby committed an offence punishable **U/sec.506 R/w.Sec.34 of IPC ?**
4. What order or sentence ?



8. My answers to the 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: As per final order

For the following:

REASONS

9. **Point No.1 to 3** :- These points are interlinked to each other therefore, taken together for common discussion to avoid the repetition of facts and evidence.

10. The case of the prosecution is that, CW-1 lodged information stating that, on 29.01.2025 at about 6:30 p.m. at Dandigepura Village, Magadi Taluk, accused picked up quarrel with CW-1 and abused CW-1 in filthy language and accused No.1 assaulted CW-1 by club and accused No.2 assaulted CW-1 by rod on her back and caused simple injuries and accused persons gave life threat to CW-1. Hence, present complaint is filed.



11. The prosecution examined the 7 witnesses as PW-1 to PW-7, PW-1 is the complainant, PW-2 is the mahazar witness, PW-3 is the eye witness and mahazar witness, PW-4 is the circumstantial witness, PW-5 is the medical officer, PW-6 is the investigating officer and PW-7 is the eye witness.

12. The prosecution moved on to adduce the evidence of CW-1 as PW-1 who is the complainant, PW-1 in her chief-examination deposed that, with regard to not payment of money for purchase of trees. On 29.01.2024, when she was at her house, accused brought iron rod and accused No.1 assaulted to her with club on her body and accused No.2 assaulted to her with said iron rod on her stomach and knee. At that time CW-2, 3 and 5 recused her and later, CW-2 and 4 taken her to the hospital and police have recorded her statement. After lodging complaint, police have conducted mahazar on 22nd of February in the presence of CW-2 and 5.



13. Then prosecution moved on to adduce the evidence of CW-5 as PW-2 who is mahazar witness, the PW-2 in her chief examination deposed that, she put her thumb impression on Ex.P.2 mahazar with respect to quarrel occurred between CW-1 and accused and at that time she and CW-3 were present. Police have seized the club and rod.

14. Then prosecution moved on to adduce the evidence of CW-2 as PW-3 who is eye witness and mahazar witness, the PW-3 in his chief examination deposed that, There was distance of 200 meter between his house and accused house. On 29.01.2024 at about 6:30 p.m. when he was standing at his house, CW-1 called him that, accused have assaulted her and thenafter, he and CW-3 went to near the house of accused and he asked accused No.2 about the assault and accused No.2 stated that, the CW-1 abused to mother of accused No.1 in filthy language and accused No.2 assaulted CW-1 in front him.



Further deposed that, on 02.02.2024, he has affixed his signature on Ex.P.2 when police came to conduct mahazar and at that time he was alone while affixing his signature.

15. Then prosecution moved on to adduce the evidence of CW-4 as PW-4 who is circumstantial witness, the PW-4 in his chief examination deposed that, on 29.01.2024 at about 6:30 p.m. with regard to selling of trees, accused picked up quarrel with CW-1 and assaulted her by club and iron rod and abused her in filthy language and accused called him and told him that, they assaulted to his mother and later, at 8:30 p.m. he came from Bengaluru and took his mother to Magadi Government hospital and thereafter, he lodged complaint and police have recorded his statement.

16. Then prosecution moved on to adduce the evidence of CW-6 as PW-5 who is medical officer, the PW-5 in his chief examination deposed about medical examination of CW-1 and issuance of wound certificate.



17. Then prosecution moved on to adduce the evidence of CW-7 as PW-6, who is the investigating officer, the PW-6 in his chief-examination deposed about registering of FIR, conducting of mahazar in the presence of witnesses, collecting of wound certificate and obtaining of statement from witness.

18. Then prosecution moved on to adduce the evidence of CW-3 as PW-7, who is the eye witness, the PW-7 in her chief-examination deposed that, one year ago at about 6:30 p.m. CW-1 came to her house and told about incident and she and CW-2 went to ask accused about assault to CW-1 and accused No.2 assaulted CW-1 in front them. Police have recorded her statement.

19. On scrutiny of evidence it shows that, CW-1 is the complainant and victim and CW-2 and 3 are the eye witness.

I have carefully gone through the chief examination of CW-1, CW-1 in her chief examination stated that, “ದಿನಾಂಕ **29.01.2024** ರಂದು ಆರೋಪಿಗಳು ಒಂದು ಕಬ್ಬಿಣದ ರಾಡನ್ನು ತಂದರು. ನಾನು ಏನೋ



ಇರಬಹುದು ಎಂದು ಸುಮ್ಮನೆ ಇದ್ದೆನು. 1ನೇ ಆರೋಪಿಯು ದೊಣ್ಣೆಯಿಂದ ನನ್ನ ಮೈಕೈಗೆ ಹಲ್ಲೆ ಮಾಡಿರುತ್ತಾನೆ. 2ನೇ ಆರೋಪಿಯು ಕಬ್ಬಿಣದ ರಾಡಿನಿಂದ ಹೊಟ್ಟೆ ಮೇಲೆ ಹಾಗೂ ಮಂಡಿ ಮೇಲೆ ಹಲ್ಲೆ ಮಾಡಿರುತ್ತಾರೆ. ಆಗ ಚಾಸಾ 2,3 ಮತ್ತು 5 ರವರು ಬಂದು ಜಗಳ ಬಿಡಿಸಿರುತ್ತಾರೆ". But, CW-2 who is eye witness stated that, "ಚಾಸಾ-1ರವರು ನನ್ನ ಮನೆಯ ಹತ್ತಿರ ಬಂದು ನನಗೆ ಆರೋಪಿಗಳು ಹಲ್ಲೆ ಮಾಡಿರುತ್ತಾರೆ ಬಾ ಎಂದು ಕರೆದರು. ನಾನು ಹೋದಾಗ ಗಲಾಟೆ ಮಾಡಿಕೊಂಡು ಸುಮ್ಮನಾಗಿದ್ದರು" and CW-3 stated that, "ಒಂದು ವರ್ಷದ ಹಿಂದೆ ನಾನು ಮತ್ತು ನನ್ನ ಯಜಮಾನರಾದ ಚಾಸಾ2 ರವರು ಸಂಜೆ 6:30 ಗಂಟೆಗೆ ಇದ್ದಾಗ ಚಾಸಾ 1 ರವರಾದ ರಾಜಮ್ಮ ರವರು ಮನೆಗೆ ಬಂದರು. ಆಗ ನಾವು ಏನು ಎಂದು ಕೇಳಿದೆವು. ಆಗ ಚಾಸಾ 1ರವರು ತಿಲಕ್ ಎಂಬುವವರು ಹೊಡೆದಿರುತ್ತಾರೆ ಎಂದು ತಿಳಿಸಿದರು". On perusal of chief-examination of CW-1 to 3 clearly shows that, there is contradiction statement about incident because CW-1 stated that, CW-2, 3 and 5 recused her while assaulting by accused but, CW-2 and CW-3 clearly denies about assault by the accused No.1 and 2 by MO.1 and 2 and further they stated CW-1 herself went to the house of CW-2 and CW-3 and intimated about assault by the accused but, on perusal of statement of CW-2 and 3 it is noticed that, when CW-2 and 3



were at their house and after hearing noise of quarrel at near the house of CW-1, accused No.1 and 2 came and assaulted to the CW-1 and abused in filthy language and gave life threat but, CW-2 and CW-3 stated in the cross examination by learned APP that, they don't know about abusing in filthy and life threat by the accused.

20. Further, I have carefully gone through the chief-examination of CW-1, when learned APP shows the M.O.1 and 2 to the CW-1, CW-1 not identified the M.O.1 and 2 and even though learned APP cross examined CW-1 and put question about the MO.1 and 2, CW-1 stated that, "ಈಗ ಸಾಕ್ಷಿಗೆ ದೊಣ್ಣೆ ಮತ್ತು ರಾಡನ್ನು ತೋರಿಸಲಾಗಿ ಸದರಿ ದೊಣ್ಣೆ ಮತ್ತು ರಾಡಿನಿಂದಲೇ ಆರೋಪಿಗಳು ನಿಮಗೆ ಹಲ್ಲೆ ಮಾಡಿರುತ್ತಾರೆ ಎಂದರೆ ಸಾಕ್ಷಿ ಹಲ್ಲೆ ಮಾಡಿರುತ್ತಾರೆ ಆದರೆ ಇದೇ ದೊಣ್ಣೆ ಮತ್ತು ರಾಡು ಎಂದು ಗೊತ್ತಾಗಿರುವುದಿಲ್ಲ ಎಂದು ನುಡಿಯುತ್ತಾರೆ" and further CW-1 stated that, the accused not abused in filthy language. Therefore the CW-1 not identified the club and iron rod. The CW-2 who is the eye witness and mahazar witness stated that, the police have not



seized any material object in his presence and police have obtained his signature at near his house. Therefore, CW-1 and 2 not identified the M.O.1 and 2. Further CW-2 and 3 clearly stated that, they have not seen the assault by the accused No.1 and 2 by club and rod. Further CW-1 clearly admits that, since 40-45 years there is dispute between complainant and accused with respect to house.

21. CW-4 who is the son of CW-1 stated in his chief examination that, the accused called to him and stated they have assaulted to his mother but, CW-4 not stated such thing before the investigating officer and also not stated about phone call from accused. Therefore, on perusal of evidence of CW-1 to 4 there are lot of contradiction statement with respect to incident. Under such circumstances, the prosecution has filed to prove its case beyond all reasonable doubts. Hence the offences alleged against the accused No.1 and 2 attracting under section 324, 504, 506 R/w. Sec.34 of IPC, are not



proved beyond all reasonable doubts and the result accused No.1 and 2 are entitled to acquit. Hence, I answered the Point No.1 to 3 in the “**Negative**”.

22. **Point No.4:** In view of the findings given on point No.1 to 3 this Court pass the following;

ORDER

Acting under Section 248(1) of Cr.P.C. accused No.1 and 2 are acquitted for an offence punishable under section 324, 504, 506 R/w. Sec.34 of IPC.

Bail bond and surety bond of the accused No.1 and 2 stands hereby canceled except compliance under section 437(A) of Cr.P.C.

Seized articles i.e., iron rod shall be sold in auction after appeal period is over and club is worthless and same will be destroy after appeal period is over.

(Dictated to stenographer, typed by him, corrected by me and then pronounced in open court on this the **26th day of March, 2026**)

**(SRI.SHRINIVASA.K.R.)
PRL.CIVIL JUDGE & J.M.F.C.,
MAGADI.**



ANNEXURE

List of the Witnesses examined by the Prosecution:

- P.W-1 : Smt.Rajamma W/o Rangaiah
P.W-2 : Sri.Mariyamma W/o Gangaramaiah
P.W-3 : Sri.Narasimhaiah S/o Chaluvaiah
P.W-4 : Sri.Ranganath S/o Rangaiah
P.W-5 : Dr.Hemashree S/o Dr.Abhijith
P.W-6 : Sri.Krishnappa S/o Venkataranaiah
P.W-7 : Smt.Rani W/o Narasimhaiah

List of the Documents exhibited for the Prosecution:

- Ex.P-1 : Statement of PW-1
Ex.P-1(a) : Signature of PW-1
Ex.P-1(b) : Signature of PW-6
Ex.P-2 : Spot mahazar
Ex.P-2(a) : Signature of PW-1
Ex.P-2(b) : Signature of PW-2
Ex.P-2(c) : Signature of PW-3
Ex.P-2(d) : Signature of PW-6
Ex.P-3 : Statement of PW-3
Ex.P-4 : Wound Certificate
Ex.P-4(a) : Signature of PW-5



Ex.P-5 : FIR

Ex.P-5(a) : Signature of PW-6

List of the Witnesses examined for defence:

-- N I L --

List of the Documents exhibited for defence:

-- N I L --

List of the Material objects marked:

M.O.1 : Club.

M.O.2 : Iron Rod.

**PRL.CIVIL JUDGE & J.M.F.C.,
MAGADI**