



**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.7133/2023

COMPLAINANT: Smt.Gowramma,
Residing at Homballamanapette,
Madabal Hobli, Magadi Town,
Ramanagara District.

(By Sri.S.M.H., Advocate)

//Versus//

ACCUSED :-

1. Basavaraju,
2. Muniraju,
3. Nataraju,
4. Mahesha,
5. Shivashankara,

All are residing at
Homballamanapette,



Madabal Hobli, Magadi Town,
Ramanagara District.

(By Sri.N.G., Advocate)

1. Date of commencement of offence : 16.10.2018
2. Date of report of offence : 16.10.2018
3. Name of the complainant : Gowramma
4. Date of commencement of recording evidence : 04.09.2023
5. Date of closing evidence : 17.10.2023
6. Offences complained of : U/Sec.143, 147, 323, 324, 504, 506, read with Section 149 of I.P.C.
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 complainant filed complaint before Magadi Police Station and Magadi P.S., registered FIR against the accused by vide Cr.No.218/2020 for the offences alleged to have been committed U/Sec.143, 147, 323, 324, 504, 506, read with Section 149 of I.P.C, and after completing the investigation, the I.O. submitted B final report. After filing B final report, notice issued to the complainant and complainant appeared before the court through her counsel and filed protest petition and also complainant and witnesses examined as PW-1 to 3 and got marked documents on behalf of complainant and after hearing by complainant counsel, B report filed by the investigation officer rejected and cognizance taken for the offence punishable under section U/Sec.143, 147, 323, 324, 504, 506 read with Section 149 of I.P.C, against accused No.1 to 5.



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

CW-1 lodged information stating that, on 16-10-2018 at about 3-00 p.m., when the complainant, father in law of complainant, Sister in law of complainant by name Gangalakshmi, Husband of Complainant by name Ramu and brother-in-law of Complainant by name Raju, Manjunath and Siddappa were plugging the land through tractor the accused persons came and abused them in filthy language by stating the land belongs to them and assaulted by club to the sister-in-law of complainant by name Gangalakshmi and when the complainant went for rescue the said Gangalakshmi, the accused assaulted with scrap on her head and left hand and gave life threat to them. Hence, present complaint is filed.

3. The accused No.1 to 5 appeared before the court upon service of summons and enlarged on bail. Documents have furnished to the accused No.1 to 5 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 No.1 to 5 for the offences punishable U/Sec.143, 147, 323, 324, 504, 506 read with Section 149 of I.P.C, and read over to the accused No.1 to 5, accused No.1 to 5 not pleaded guilty and claims to be tried.

4. The complainant in order to prove her case, complainant examined herself as PW.1 and two witnesses examined on behalf of complainant as P.W.2 and 3 and got marked 29 documents as Ex.P-1 to Ex.P-29.

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

6. Even though sufficient opportunity complainant not addressed argument hence, argument taken as nil. Heard the arguments by counsel for accused No.1 to 5.



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

P O I N T S

1. Whether the complainant proves beyond all reasonable doubt that, on 16.10.2018 at 03.00 p.m., at the land bearing Sy.No.141/1, situated at Hombalammanapete, Magadi Taluk, accused No.1 to 5 formed unlawful assembly with an intention to commit offence and thereby committed an offence punishable under section **143** R/w Sec.**149** of Indian Penal Code?
2. Whether the complainant proves beyond all reasonable doubt that, on above said date, time and place, accused No.1 to 5 in furtherance of common intention, formed unlawful assembly with an intention to committ riot and thereby committed an offence punishable under section **147** R/w **149** of Indian Penal Code?



3. Whether the complainant proves beyond all reasonable doubt that, on above said date, time and place, accused No.1 to 5 in furtherance of common intention, voluntarily assaulted to Gangalakshmi, who is the sister-in-law of complainant with a club on her head and caused simple injury and thereby committed an offence punishable under Section **323** R/w. Sec.**149** of IPC?
4. Whether the complainant proves beyond all reasonable doubt that, on above said date, time and place, accused No.1 to 5 in furtherance of common intention, voluntarily assaulted to CW-1 with a scar on her head & left hand finger and caused grievous blood injury to CW-1 and thereby committed an offence punishable under Section **324** R/w. Sec.**149** of IP?
5. Whether the complainant proves beyond all reasonable doubt that, on above said date, time and place, accused No.1 to 5 in furtherance of



common intention, intentionally insulted to CW-1 & her family members in filthy language and thereby gave provocation will cause CW-1 to break public peace and thereby committed an offence punishable U/Sec.**504** R/w Sec.**149** of IPC?

6. Whether the complainant proves beyond all reasonable doubt that, on the above said date, time and place, accused No.1 to 5 in furtherance of common intention, committed criminal intimidation by threatening to the life of C.W.1 & her family members with intent to kill her and her family members and with dire consequence of her & her family members life and thereby committed an offence punishable under Section **506** R/w.Sec.**149** of I.P.C.?
7. 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: In the '**Negative**'
Point No.5: In the '**Negative**'
Point No.6: In the '**Negative**'
Point No.7: As per final order
for the following:

REASONS

9. **Point No.1 to 6** :- These points are interlinked to each other therefore, taken together for common discussion to avoid the repetition of facts and evidence.

The case of the complainant is that, on 16-10-2018 at about 3-00 p.m., when the complainant, father in law of complainant, Sister in law of complainant by name Gangalakshmi, Husband of Complainant by name Ramu and brother-in-law of Complainant by name Raju, Manjunath and Siddappa were plugging the land through tractor the accused persons came and abused them in filthy language by stating



the land belongs to them and assaulted by club to the sister-in-law of complainant by name Gangalakshmi and when the complainant went for rescue the said Gangalakshmi, the accused assaulted with scrap on her head and left hand and gave life threat to them. Hence, present complaint is filed.

10. The complainant in order to prove her case, complainant examined herself as PW.1 and two witnesses examined on behalf of complainant as P.W.2 and 3 and got marked 29 documents as Ex.P-1 to Ex.P-29.

11. The complainant deposed in her chief examination that, on 16.10.2018 he, his father-in-law, her husband and her sister-in-law were ploughing land and at that time accused persons came to said land and picked up quarrel and accused No.2 assaulted her sister-in-law by name Gangalakshmmamma by club on her head and accused No.3 assaulted her by scar on her head and right hand and accused No.1 assaulted her father-in-law by slipper and accused No.4 abused her in filthy



language and accused No.5 gave life threat. Later, Kumar and Lakshamma who are neighborers of said land taken them to hospital by their bike at 4:00 p.m.

Further deposed that, at 8:30 p.m. police came for enquiry but, police have not written as per statement of complainant and by listening the words of accused persons, police filed complaint against her and police have not taken any action against accused persons and filed false B report. On 08.01.2019 the case against the complainant was acquitted and the police did not filed any case against the accused.

12. The PW-2 who is the eye witness in his chief examination deposed that, on 16.10.2018 at about 3:00 p.m. when he and complainant were at their land, at that time five members came with three bikes and attacked the complainant. Accused persons assaulted complainant and her family



member by club and scar and thenafter, he took them to Magadi Government hospital.

13. The PW-3 who is another eye witness deposed in his chief examination that, on 16.10.2018, when he and his father were at farm, accused persons came and attacked on Gowramma and Lakshamma. Accused No.2 assaulted complainant by scar and accused No.3 and 4 assaulted to complainant by club on her head and when Gangasiddaiah went to recuse, accused No.1 assaulted him with slipper on his head and face and accused No.5 gave life threat. Thenafter, he and his father went to spot and took injured to the government hospital by bike.

14. The accused counsel while addressing argument stated that, there is civil dispute between complainant and accused and accused No.1 filed suit for the relief of declaration in the year 2018 and Hon'ble court passed interim order by restraining the complainant and her family to interfere the



property of accused No.1. The accused are in possession and enjoyment property since 1984 as a mortgager and cultivating the property. Without redemption of mortgage created the sale deed. The documents which are produced by the complainant are not supported by the witness. The allegation against accused are not supported by any witnesses. Hence, prays to acquit the accused.

15. On scrutiny of evidence, it shows that, PW-1 is the complainant and victim and PW-2 and 3 are the eye witnesses. I have carefully gone through the statement of complainant i.e., Ex.P.9 as per statement of complainant, when the complainant, her husband, her father-in-law and her sister-in-law and her brother-in-law were cultivating the land bearing Sy.No.141/1 at that time the accused came and assaulted to complainant and her sister-in-law by name Gangalakshmi but, the complainant not examined the other victims i.e., sister-in-law of complainant by name Gangalakshmi and father-in-law



of complainant and also not examined the husband of complainant and brother-in-law of complainant and on perusal of statement of complaint it clearly shows that, there is a civil dispute between the complainant and accused person with respect to land bearing Sy.No.141/1. The accused have filed suit against father-in-law of complainant and husband of complainant in O.S.No.262/2018 and in the said suit there is temporary injunction order in favour of accused No.1.

16. Further the complainant stated that, one Kumar, Chalapathi and Lakshamma recused the complainant, her sister-in-law and father-in-law but, the complainant even not examined the said Chalapathi and Lakshamma to prove alleged incident. Hence the offences alleged against the accused No.1 to 5 attracting U/Sec.143, 147, 323, 324, 504, 506 read with Section 149 of I.P.C, are not proved beyond all reasonable doubts and the result accused No.1 to 5 are



entitled to acquit. Hence, I answered the Point No.1 to 6 in the
“Negative”.

17. **Point No.7**: In view of the findings given on point
No.1 to 6 this Court pass the following;

ORDER

Acting under Section 248(1) of
Cr.P.C. accused No.1 to 5 are
acquitted for an offence punishable
U/Sec.143, 147, 323, 324, 504, 506
read with Section 149 of I.P.C.

Bail bond and surety bond of
the accused No.1 to 5 stands hereby
canceled except compliance under
section 437(A) of Cr.P.C.

(Dictated to stenographer, typed by her, 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.Gowramma W/o Ramamurthy.
P.W.2 : Sri.Kumar.H.T. S/o Gopala.
P.W.3 : Sri.Hariprasad S/o Chalapati.

List of the Documents exhibited for the Prosecution:

Ex.P.1 & 2 : Wound certificate.
Ex.P.3 : Requisition letter.
Ex.P.4 : Postal receipt.
Ex.P.5 : Complaint.
Ex.P.6 : Post receipt.
Ex.P.7 : complaint.
Ex.P.8 : complaint.
Ex.P.9 : Signature of P.W.1
Ex.P.10-13 : Government Hospital Prescription.
Ex.P.14-15 : Out-patient receipt
Ex.P.16-17 : receipts
Ex.P.18-19 : Radiology CT Scan bills.
Ex.P.20-21 : receipts
Ex.P.22-23 : Medical report.
Ex.P.24-27 : Photographs.
Ex.P.28 : C.D



Ex.P.29 : Copy of judgment in CC. No.811/2019.

List of the Witnesses examined for defence:

- - N I L - -

List of the Documents exhibited for defence:

Ex.D.1 : Sale deed.

Ex.D.2 : Death certificate of Gangamma.

List of the Material objects marked:

- - N I L - -

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