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**IN THE COURT OF I ADDITIONAL CIVIL JUDGE AND JMFC,
BHADRAVATHI, AT: BHADRAVATHI.**

:Present:

Smt. Nasira Banu,B.A., (Law), LL.B.,
I Additional Civil Judge and J.M.F.C.,
Bhadravathi.

CRIMINAL CASE NO.3222/2026
[Original CC.No.2084/2019]

Dated on this the 30th day of June, 2026

COMPLAINANT: State by Holehonnur Police
Bhadravathi.

(By learned APP, Bhadravathi)

// Versus //

ACCUSED: Shubhakari S/o Malatesh,
Aged about 26 years,
R/o. Hakkipikki camp,
Shivamogga Taluk.

(By Sri H.M. Advocate)

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Date of commission of offence : 16.06.2019

Date of report of offence: 17.06.2019

Date of recording evidence: 16.06.2026
Date of closing evidence: 30.06.2026
Offences complained of : Sec.504, 324 of IPC.
Opinion of the Judge : Accused found not guilty.

PRESIDING OFFICER

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J U D G M E N T

The Holehonnur Police have filed charge-sheet against accused for the offences punishable under Sections 504 and 324 of IPC.

2. **Prosecution case in brief:** On 16.06.2019 at 10-30 a.m., at Hakkipikki camp circle, the accused assaulted CW.1 with stone and abused him in filthy language. Thus, it is alleged that the accused has committed offences punishable under Sections 504 and 324 of IPC.

3. Upon the first information statement lodged by C.W-1, Holehonnur Police registered F.I.R; investigated the case; and filed the present charge-sheet.

4. This Court taken cognizance of the offences and ordered for registering the case.

5. In crime stage the accused appeared before the Court. He is enlarged on bail. After framing of charge the accused failed to appear before the Court and after following due procedure of law the case was registered in LPR. Thereafter, accused appeared before this court and enlarged on bail. He is represented by advocate of his choice.

6. After submission of charge sheet Section 207 of Cr.P.C is complied in original CC No.2084/2019 and after hearing the prosecution and the defense, this Court framed the charges for the offences punishable under Sections 504 and 324 of IPC. He pleaded not guilty and claimed to be tried.

7. In LPR CW.11 was examined as PW.1. After appearance of accused the prosecution examined 04 witnesses including CW.11 as PW.1 to PW.4. The prosecution got marked 04 documents as per Ex.P-1 to 04. In this case CW.1 complainant reported to be dead and eye witness is examined as PW.4 completely turned hostile to the case of prosecution. The Investigating officers are examined. In the light of her hostile version of PW.4 and in view of death of CW.1, this Court by opining that no purpose would be served by summoning and examining remaining witnesses cited in the charge-sheet, dropped them after rejecting the prayer of the learned A.P.P.

8. After closure of prosecution evidence, the incriminating circumstances

arose in the evidence of prosecution witnesses are read over and explained to the accused and his statement under Section 313 of Cr.P.C. has been recorded. He denied the incriminating circumstances appeared against him in the evidence of prosecution witnesses and did not choose to lead defence evidence. Hence, heard the arguments of both sides and perused the entire record.

9. POINTS FOR CONSIDERATION:

1. Whether the prosecution proves beyond all reasonable doubt that on 16.06.2019 at 10-30 a.m., at Hakkipikki camp circle, the accused assaulted CW.1 with stone and abused him in filthy language and provoked him to break public peace and thereby committed the offence punishable under Section 504 of IPC?

2. Whether the prosecution proves beyond all reasonable doubt that on the aforesaid date, time and place, accused assaulted CW.1 with stone and caused simple injury and thereby committed the offence punishable under Section 324 of IPC?

3. What order?

10. My answer is as under:

Point No.1 and 2 : In the Negative.

Point No.3 : As per final order;

for the following:

REASONS

11. **Point No.1 and 2 :-** Both the points are interconnected with

each other. Hence, they are taken up together for common discussion in order to avoid repetition of facts. The CW.11 Investigating Officer is examined as PW.1 in LPR No.21/2024 and he is again examined as PW.2 after appearance of accused. He deposed that, he received report from CW.10 and registered FIR. He conducted panchanama and seized stone and T-shirt. He also deposed that, he recorded the statements of CW.4 to 8 and received wound certificate of CW.1. After investigation he filed charge sheet.

12. PW.3 is also investigating officer. He deposed that, he received first information from CW.1 in Mc.Gann Hospital, Shivamogga and submitted same before S.H.O.

13. PW.4 is the eye witness. She deposed that, accused has not abused CW.1 or assaulted him with stone. Thus, PW.4 completely turned into the case of prosecution. During her cross-examination entire case of prosecution was put into her mouth, but she denied said suggestions and deposed that, she compromised the dispute between the accused.

14. In this case the CW.1 who is the complainant and victim is reported to be dead and eye witness turned hostile to the case of prosecution and deposed that, she entered into compromise with the accused. Thus, there is absolutely no incriminating evidence to hold the

accused guilty. Considering all these aspects, it is a case, where accused deserve acquittal. In the result, Point No.1 and 2 are answered in the ***Negative.***

15. **Point No.3:** In view of the above, this court proceeds to pass the following:

:O R D E R:

*Acting under Section 248(1) of Cr.P.C.,
accused is acquitted of the offences punishable
under Section 504 and 324 of IPC.*

*M.O.1 and 2 being worthless are ordered to
be destroyed after the appeal period is over.*

*Bail bonds of accused and surety bond shall
stand cancelled.*

(Dictated to the stenographer, directly typed by her on computer, taken print out, corrected, signed by me and then pronounced in open court on this the 30th day of June, 2026)

(Nasira Banu)

I Additional Civil Judge and JMFC,
Bhadravathi.

ANNEXURE

Witnesses examined for the prosecution:-

PW1 & 2 : Raghavendra Kandike

PW3 : Mahantesha
PW4 : Yayyara B.

Documents exhibited by the prosecution:-

Ex.P1 : First Information
Ex.P1(a) : Signature
Ex.P.2 : FIR
Ex.P2(a) : signature
Ex.P.3 : Panchanama
Ex.P.3(a) : Signature.
Ex.P.4 : Wound certificate
Ex.P4(a) : signature

Witnesses examined for the accused:-

-Nil-

Documents exhibited by the accused:-

-NIL-

List of material objects marked for the prosecution:

MO.1 : Stone
MO.2 : T-shirt

**I Addl. Civil Judge and JMFC,
Bhadravathi.**