



**IN THE COURT OF THE IV ADDITIONAL DISTRICT AND
SESSIONS JUDGE TUMAKURU, SITTING AT MADHUGIRI**

DATED THIS THE 23RD DAY OF JUNE, 2026

-.PRESENT:-

SMT. SUMANGALA S BASAVANNOUR,B.COM., L.L.M.,
IV ADDL. DISTRICT AND SESSIONS JUDGE, TUMAKURU-MADHUGIRI

S.C. NO: 5045/2024

Complainant : The State of Karnataka,
By Koratagere Police Station,
Koratagere Taluk,
Tumakuru District.
[By : Public Prosecutor]

-.VERSUS :-

Accused : 1. Puneetha.N,
S/o Narayanappa,
Aged about 29 years,
R/o Kodagadala Village,
Puravara Hobli,
Madhugiri Taluk,
Tumakuru District.

2. Barath @ Naveena,
S/o Doddegowda,
Aged about 29 years,
R/o Arasapura Village,
Holavanahalli Hobli,
Koratagere Taluk,
Tumakuru District.

3. Gowrishankara @ Gowrisha,
S/o Thimmaiah,



Aged about 31 years,
R/o Hunasavadi Village,
Puravara Hobli,
Madhugiri Taluk,
Tumakuru District.

4. Dileep Kumar.G,
S/o Govindaraju,
Aged about 35 years,
R/o Bhattagere Village,
Kodigenahalli Hobli,
Madhugiri Taluk,
Tumakuru District.

5. Shivaraju G @ Shiva,
S/o Gangadharappa,
Aged about 32 years,
R/o Hunasavadi Village,
Puravara Hobli,
Madhugiri Taluk,
Tumakuru District.

[By : A.1 B.K.P.S, A.2 to 5- K.K- Advocate)

1. Name of complainant	Govindaraju.R.O- CW-1
2. Date of commission of offense	21.05.2024
3. Date of report of occurrence	22.05.2024
4. Offenses complained of	The offence Punishable under section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code



5. Date of arrest of accused	A-1 & 2 23.05.2024 A-3 16.06.2024 A-4 22.06.2024
6. Date of commencement of trial	03.11.2025
7. Date of closing of trial	04.06.2026
8. Opinion of the Judge	The accused is not found guilty for the offences punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code.
9. Order of offence	Acquitted as per final order.
10. State represented by	Public prosecutor.
11. Accused by	A.1 B.K.P.S, A.2 to 5- K.K Advocate.

II - JUDGMENT - II

The present Session Case is registered against the accused No.1 to 5 on the basis of committal order dated 16.10.2024 passed under section 209 of Cr.P.C for the offences punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code by the Learned Civil



Judge and JMFC Court, Koratagere in C.C.No.712/2024.

2. The crime No.155/2024 registered against the accused No.1 to 5 on the basis of first information at Ex.P.1 given by C.W.1/P.W.1 Govindaraju.R.O dated 22.05.2024 before the complainant Police Station for the offence punishable under section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code. As per Ex.P.1 first information allegations against the accused that, on 21.05.2024 at about 9-45 p.m C.W.1 was proceeding besides the road that exists near NTR Bar and Restaurant at Byrenahally Cross, at that time the accused No.1 to 5 were standing obstructing the way. When the complainant asked to leave the way the accused No.1 abused in filthy language and accused No.1 with an intention to commit murder of C.W.1 took empty beer bottle assaulted on the left portion of the head of C.W.1 and caused simple injuries, then accused No.2, 4 and accused No.5 assaulted C.W.1 with hands and kicked with legs on all over the body of C.W.1. The accused No.3 with an intention to commit murder of C.W.1 took another empty beer bottle and assaulted on right portion of the head and caused simple injuries.



All the accused caused threat to the life of C.W.1. On the basis of the said information given by C.W.1 crime registered against the accused for the offences punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code.

3. On the basis of the first information at Ex.P.1 the complainant police registered the crime No.155/2024 against accused as per FIR dated 22.05.2024 as per Ex.P.22. In the FIR also allegations made against the accused as stated in the first information. After registering crime the Investigating Officer P.W.13 conducted portion of investigation and handed over case file to P.W.12. Investigating Officer P.W.12 conducted entire investigation. After completing investigation submitted charge-sheet before jurisdictional Magistrate for the offence punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code.

4. After filing final report, the Learned Magistrate took cognizance of offence and registered a criminal case against the accused No.1 to 5 in C.C.No.712/2024 for the offence punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code. Thereafter, the



presence of accused persons was secured before the Court. As the alleged offences punishable under section 307 of IPC are triable exclusively by the Sessions Court, the Learned Magistrate committed case to this Court vide committal order dated 16.10.2024 under section 209 of Cr.P.C.

5. After committal, the Court registered Sessions Case in S.C.No.5045/2024 against the accused persons and secured their presence before the Court. After securing presence of accused No.1 to 5, the Court, upon perusal of final report and other records, framed charge against them for the offenses punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code as per charge dated 13.02.2025. The accused denied charge framed against them and pleads to face trial. Consequently the Court set the matter for trial.

6. During trial the prosecution examined total 13 witnesses as P.W.1 to P.W.13 though as per final report I.O cited 18 witnesses. On behalf of prosecution he got marked 22 documents at Ex.P.1 to Ex.P.22. The prosecution also identified five material objects as per M.O.1 to M.O.5. After prosecution evidence the Court examined the accused on 11.06.2026 as provided under



section 313 of Cr.P.C, and explained incriminating material against them and they denied materials against them. However they stated they have not committed any offence in answer to materials explained to them and they have not pleads to produce any materials on their behalf. They denied the materials against them as false case registered against him. Under the circumstances, trial closed and posted the matter for argument.

7. I have heard the learned Public Prosecutor and counsel for accused. Learned Public Prosecutor by relying upon material witnesses and evidence produced before the Court submitted that P.W.1 though victim is not supported the prosecution case and there is nothing to disbelieve his version. Hence the accused are liable to convict. Though P.W.5 and P.W.6 are witnesses to mahazar they have turned hostile to the prosecution case, the Investigating Officer has seized the beer bottle produced by the P.W.1. Incident is proved from the evidence of Investigating Officer. Relying upon all the materials he submits that the accused is liable to convict. Relying upon the same he prays to convict the accused and prays to impose maximum punishment.



8. The counsel for the accused submits that evidence of injured, eye witnesses are turned hostile. P.W.2 and P.W.4 eye witnesses turned hostile not supported the prosecution case, from the evidence of P.W.5 and P.W.6 mahazar not proved. Hence there is no material to convict the accused persons on the basis of evidence of police officials and Investigating Officer. With above grounds prays to acquit the accused.

9. After hearing the parties and after perusing the materials on record the points that arise for my consideration is:-

1) Whether the prosecution proves beyond reasonable doubt that on 21.05.2024 at 9-45 p.m within the jurisdiction of Koratagere Police Station besides the NTR Comforts Bar and Restaurant road when C.W.1 Govindaraju was proceeding on the said road, all the accused obstructed the way of C.W.1 and thereby accused committed an offence punishable under Section 341 R/w 34 of Indian Penal Code, ?

2) Whether the prosecution proves beyond reasonable doubt that, on the same day, time and place when C.W.1 asked to leave the way the accused intentionally abused C.W.1 in filthy language (ಲೇ ಲೋಫರ್ ನನ್ನ ಮಗನೇ, ನಮ್ಮನ್ನೇ ದಾರಿ ಬಿಡು ಎಂದು ಕೇಳುತ್ತೀಯಾ) thereby gave provocation will cause to break public peace and thereby committed an



offence punishable under Section 504 R/w 34 of Indian Penal Code,?

3) Whether the prosecution proves beyond reasonable doubt that, on the same day, time and place when C.W.1 asked to leave the way, the accused No.1 with an intention to commit murder took empty beer bottle and assaulted on the left side of the head, accused No.3 also assaulted with empty beer bottle on the right side of the head, thereby the accused No.2, 4 and 5 have instigated him to commit murder, and thereby committed an offence punishable under Section 307 R/w 34 of Indian Penal Code, ?

4) Whether the prosecution proves beyond reasonable doubt that, on the same day, time and place the accused persons assaulted with hands and kicked with legs on all over the body and thereby committed an offence punishable under Section 323 R/w 34 of Indian Penal Code, ?

5) Whether the prosecution proves beyond reasonable doubt that, on the same day, time and place the accused person committed criminal intimidation by threatening the C.W.1 with threat to cause death and thereby committed an offence punishable under Section 506 R/w 34 of Indian Penal Code, ?

6] What order or sentence, ?



10. My findings on the above points are as here 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 final order
for the following:-

|| REASONS ||

11. **POINT NO.1 TO 5:-** In the case on hand, there are five charges are framed against the accused for the offences punishable under Section 341, 323, 307, 504, 506 R/w 34 of IPC and five point for determination is framed, I feel it is proper to discuss all the points together to avoid repetition of facts and conclusion. There is reason to discuss all these points together because all four charges arising from a single incident. All the allegations are connecting to each other and it is not possible to discuss separately because appreciation of materials to decide one charge is also required to appreciate to all other charges. As per the prosecution case. Incident occurred at once and it has to be decided



together. Suppose incident is proved it is not necessary to discuss to all charge separately. To see whether such incident occurred or not is concerned common appreciation of evidence on record is sufficient. Hence I assigning common reasons to come to conclusion for above said four points for determination with respect to charge framed against the accused.

12. It is a settled principle of criminal jurisprudence that in a criminal trial, a duty is cast upon the prosecution that it has to prove the guilt of the accused beyond reasonable doubt. Even an iota of doubt in the prosecution story entitles the accused to the benefit of doubt.

13. The accused persons have been charged for offence of attempt to murder punishable under Section 307 of IPC. Same is reproduced verbatim as under:-

"Section 307. Attempt to murder-Whoever does any act with such intention or knowledge, and under such circumstances that, if he by that act caused death, he would be guilty of murder, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if hurt is caused to any person by such act, the offender shall be liable either to imprisonment



for life, or to such punishment as is hereinbefore mentioned.

Attempts by life convicts-When any person offending under this section is under sentence of imprisonment for life, he may, if hurt is caused, be punished with death.

The essential ingredients required to be proved in the case of an offence under Section 307 IPC are as under:

(i) that the death of a human being was attempted;

(ii) that such death was attempted to be caused by, or in consequence of the act of the accused; and

(iii) that such act was done with the intention of causing death; or that it was done with the intention of causing such bodily injury as : (a) the accused knew to be likely to cause death; or (b) was sufficient in the ordinary course of nature to cause death, or that the accused attempted to cause death by doing an act known to him to be so imminently dangerous that it must in all probability cause (a) death, or (b) such bodily injury as is likely to cause death, the accused having no excuse for incurring the risk of causing such death or injury."



14. Let us considered the evidence on record. P.W.1 as per the prosecution case complainant as well as victim. His evidence is very material to the prosecution case. P.W.1 deposed that, since 12 years he is working as soldier Leladak Chummath. P.W.1 and his elder brother were residing with their parents. He used to visit the village on leave once in two years. On 21.05.2024 at 9-00 a.m P.W.1 went to NTR Comforts Bar and Restaurant which is situated at Byrenahalli cross. After consuming alcohol at about 9-45 p.m while returning to his house all the accused were standing blocking the path. So P.W.1 asked them to make way the accused Puneeth abused him in filthy language, for that he was also abused them. Except this fact he was deposed contrary to the case of the prosecution. Further P.W.1 deposed that, he himself fell down and became unconscious. So his elder brother took him to Koratagere Government Hospital. He had not given a complaint to the police. He identified his signature on Ex.P.1 complaint. He did not know the contents of Ex.P.1. He identified his signature on Ex.P.2 mahazar. He did not know the contents of Ex.P.2 and not produced any articles before the police and did not give any further statement before the police. He identified 4



photographs at Ex.P.3 to Ex.P.6. Further P.W.1 clearly deposed that accused were not assaulted on him. The prosecution treated P.W.1 as hostile and cross-examined but nothing worth while was elicited to prove the guilt of the accused.

15. During the cross-examination, P.W.1 admitted that on that day from 9-00 to -9-45 p.m he was completely consumed alcohol. The road leading from the bar to his village was wide. P.W.1 denied the suggestions that on that day the accused Puneeth was not present and not abused him.

16. P.W.2 and P.W.3 eye witnesses to the incident. P.W.2 deposed that, the accused used to visit NTR Comforts Bar and Restaurant, hence he knows them. P.W.2 and P.W.3 deposed that they did not know C.W.1. About one year ago police took their signatures near NTR Comforts Bar and Restaurant. They were not give any statement before the police. They had not aware of the act committed by the accused. The prosecution treated P.W.2 and P.W.3 as hostile and cross-examined but nothing worth while was elicited to prove the guilt of the accused.



17. P.W.4 elder brother of the C.W.1. He deposed that in summer 2024 C.W.1 came to the village on leave and he went to NTR Comforts Bar and Restaurant which is situated at Byrenahalli cross at about 8-30 p.m. Further at about 10-00 p.m their villager called over the phone and informed that C.W.1 consumed alcohol heavily, therefore he brought him to the house. On that day no galata took place and nobody assaulted C.W.1. He does not know anything about such a matter.

18. P.W.5 and P.W.10 are spot mahazar witnesses. They identified their signatures on Ex.P.2 spot mahazar. They deposed that when they went to the police station the police took their signatures. They did not know the contents of Ex.P.2 and the police had neither shown the place of incident and nor seized anything in their presence. Except identifying their signatures on M.O.1 white cloth packet chit, they have not identified any material objects. They identified their presence in Ex.P.3 to Ex.P.6 photographs. Further P.W.5 and P.W.10 identified the presence of Govindaraju in the photo. They did not know why the police took the



photograph nor why C.W.1 was holding a knife in his hand.

19. P.W.6 is a PDO of Tondebavi Panchayath, Gowribidanuru. She deposed that on 03.09.2024, the Koratagere PSI filed a requisition for preparing the sketch of the spot of the incident. After receiving the requisition, went to the spot and verified it. Since the spot of the incident is situated in the NTR Comforts Bar and Restaurant, she has issued demand register extract and also certified the sketch given by the police. P.W.6 identified the requisition at Ex.P.11, the demand register extract at Ex.P.12 and the site plan at Ex.P.13. During the cross-examination P.W.6 admitted that in the demand register extract name of the Naveen Kumar is mentioned and it is not in the name of NTR Comforts Bar and Restaurant.

20. P.W.7, P.C-580. He deposed that on 23.05.2024 he got typed Ex.P.2 mahazar in front of rolling shelter which is situated eastern side of the NTR Comforts Bar and Restaurant and took print out.

21. P.W.8, Dr.Shanmuga Priya who examined the injured Govindarju. She deposed that on 21.05.2024 at



11-50 p.m the injured Govindaraju was brought by his relative with the history of assault by 4 unknown persons at bar in Byrenahalli using bear bottle on 21.05.2024 at 10-30 p.m. She examined Govindaraju and found multiple laceration on both side of scalp and back, 4 laceration in scalp, wound sutured and wounds are less then 6 hours. She issued wound certificate as per Ex.P.14 and she had opined that above injuries are simple in nature.

22. During the cross-examination P.W.8 admitted that she had not mentioned the name of the person who brought the injured. At the time of examination injured was capable to walk. Further deposed that if a person while riding on motor bike if fell down, the injury mentioned in Ex.P.14 could be possible.

23. P.W.9, a PWD Engineer, deposed that on 27.05.2024 PSI Koratagere was given requisition for preparing sketch of the spot of the incident. Accordingly he had deputed Naveen Kumar, Junior Engineer for this work. On 31.05.2024 Naveen Kumar visited place of incident i.e. besides the NTR Bar and Restaurant which is shown by C.W.13, prepared sketch and also took GPS photograph and same was submitted



before him. P.W.9 deposed that he send GPS photographs along with covering letter to the police station. He identified the covering letter Ex.P.15 and sketch at Ex.P.16.

24. P.W.11 is the Investigating Officer. P.W.11 deposed that on 22.05.2024 he took up investigation charge from C.W.16. On 23.05.2024 he visited the spot of the incident situated in front of NTR Bar and Restaurant and secured the panchas and drawn the spot mahazar in the place shown by the C.W.1 between 1-30 p.m and 2-30 p.m. During the mahazar scene of crime officers collected the blood-stained cement and the plain cement from the cement floor and also collected control swab and a blank swab. P.W.1 produced two U.B export, half broken bottle and blood stained shirt and he has seized the same by conducting Ex.P.2 mahazar. He has identified M.O.2 and M.O.3 and photographs at Ex.P.3 to Ex.P.6. On the same day C.W.11 produced accused No.1 and 2 and submitted report and he has recorded the voluntary statement of accused No.1 and 2. On the same day he has recorded the further statement of C.W.1 and statement of C.W.2 and C.W.3 as per Ex.P.7 to Ex.P.9. P.W.11 further



deposed that he gave requisition for blood grouping of C.W.1. On the same day he received blood grouping report. On 27.05.2024 he gave a requisition to PWD Officer for preparing the sketch of the spot. But due to his transfer he has handed over the file to C.W.18. He identified M.O.1 and M.O.2. during the cross-examination, P.W.11 admitted that C.W.5 and C.W.6 were not native to Byrenahalli village. He further admitted that he did not mention the details regarding manufacture of U.B. export strong premier beer bottle in the mahazar.

25. P.W.12 is the Investigating Officer. He deposed that on 15.06.2024 he took the investigation charge from C.W.17 and verified the investigation. On 16.06.2024 the accused No.3 and 5 appeared before him and submitted copy of the anticipatory bail. He has arrested them and released on bail. P.W.12 further deposed that on 20.06.2024 the accused No.4 appeared before him and produced copy of the bail order. He arrested him and released on bail. On the same day, he received FSL report at Ex.P.18 and sample seal as per Ex.P.19. On 12.07.2024 C.W.4 voluntarily appeared before the police station and he recorded his statement



as per Ex.P.10. On 18.07.2024 he received the sketch of the place of the incident as per Ex.P.15 and Ex.P.16. On the same day he received the wound certificate from Koratagere Government Hospital as per Ex.P.14. P.W.12 identified sketch at Ex.P.16 and wound certificate at Ex.P.14. P.W.12 further deposed that, on 06.09.2024 he collected the records of the spot of the incident from C.W.7 as per Ex.P.11 to Ex.P.13. After receiving FSL report he submitted report before the doctor and took his opinion. During the investigation he recorded the audio and video through C.W.15 and in this regard C.W.15 submitted certificate under Section 65(B) of Indian Evidence Act as per Ex.P.20. P.W.12 identified DVD at Ex.P.21 and certificate at Ex.P.20.

26. P.W.13, A.S.I, he deposed that on 22.05.2024 at about 10-30 p.m when he was SHO of the Koratagere Police Station he received typed complaint from the complainant and registered case in Crime No.155/2024 and submitted FIR to the Court and higher officials. He identified the complaint at Ex.P.1 and FIR at Ex.P.22.

27. In this case P.W.1 victim P.W.2 and P.W.3 are eye witness and P.W.4 is brother of the P.W.1 are star witnesses to the prosecution case, but they have



completely resile from their earlier statement. Though the prosecution treated them hostile and cross-examined no incriminating has been elicited from their mouth to support the prosecution version. Their testimony does not inspire the confidence and failed to establish either the occurrence of the incident or involvement of the accused. It is settled law that though testimony of the hostile witnesses is not to be rejected in toto, the Court can rely upon the portion which inspires confidence. In the present case no such reliable portion available. P.W.5 and P.W.10 are mahazar witnesses to the Ex.P.2. Though the prosecution treated them hostile and cross-examined by the prosecution but no material contradictions supporting the prosecution case has been brought on record.

28. Though the evidence of P.W.1 discloses that accused Puneeth abused in filthy language as ಆರೋಪಿ ಪುನೀತ್ ಲೋಫರ್ ಮಗನೆ ನಮ್ಮನ್ನೇ ದಾರಿ ಬಿಡು ಎಂದು ಕೇಳುತ್ತೀಯ ಎಂದು ಬೈದ. For that P.W.1 also abused him. On the contrary he has clearly stated that he has not lodged the complaint and he do not know the contents of Ex.P.1. Further eye witnesses P.W.2 and P.W.3 were turned hostile. Under



these circumstance, the prosecution failed to prove accused No.1 Puneeth abused P.W.1 in filthy language with intent to provoke a breach of the peace.

29. Evidence of P.W.8 clearly establishes that P.W.1 sustained injuries by using beer bottle. However it is trite law that medical evidence is corroborative not substantive. In Solanki Chimmanbai Ukbhi Vs. State of Gujarath, 1983(2) SCC 174 Hon'ble Supreme Court of India held that, "ordinarily, the value of medical evidence is only corroborative. It proves that the injuries could have been caused in the manner alleged and nothing more. The use which the defence can make of the medical evidence is to prove that the injuries could not possibly have been caused in the manner alleged and thereby discredit the eye witnesses. Unless, however the medical evidence in its turn goes so far that it completely rules out all possibilities whatsoever of injuries: taking place in the manner alleged by eye witnesses, the testimony of the eye witnesses cannot be thrown out on the ground of alleged inconsistency between it and the medical evidence."

30. In the case on hand, I considered all the aspects before this Court specifically evidence of P.W.8 doctor



Shanmugapriya. Though the evidence of P.W.8 proved that victim is sustained certain injuries but her evidence is not able to prove that said injury caused by the accused. Wound certificate at Ex.P.14 is silent about assault made to the victims. Ex.P.14 wound certificates are crucial document which was registered immediately after the incident by the concerned doctor who treated the victim. Normally any person admitted to the hospital with the history of assault the concerned doctor will record nature of injury, time of injury and who caused the same. Ex.P.14 is incomplete document. This document does not reveal when assault committed who committed the same. It appears that the contents of the document filled subsequently. Under the circumstances, I am unable to accept the contention of the prosecution that the accused have assaulted the victim and caused injury.

31. Though the medical evidence supported the occurrence of injury, it does not identify the assailant nor does it independently proved the guilt of the accused. Hence the evidence of P.W.8 is not helpful to prove the guilt of the accused.



32. Evidence of Investigating Officer is only corroborative and cannot take place of substantive evidence. In the present case though the evidence of Investigating Officer discloses that he has registered case on the basis of complaint Ex.P.1 filed by the complainant. But unfortunately C.W.1 complainant has turned hostile and categorically stated that he do not know the contents of Ex.P.1. Further he has clearly stated that the accused has not assaulted them, and not given life threat to them. Further evidence of P.W.11 Investigating Officer is clearly shows that on 23.05.2024 he has visited the spot of the incident and conducted mahazar as per Ex.P.2. But in this case though it can be proved Investigating Officer P.W.11 visited in front of NTR Bar and Restaurant but his evidence does not prove conducting of mahazar in the presence of C.W.5 and C.W.6 as shown by C.W.1. Since C.W.1, C.W.5 and C.W.6 are all turned hostile, it is fatal to the case of the prosecution.

33. The criminal law mandates that the guilt must be proved beyond reasonable doubt. In view of the totality of the evidence, this Court finds that victim P.W.1, eye witnesses and mahazar witnesses have turned hostile.



The medical evidence does not prove the identity of the accused. P.W.11 and P.W.12 Investigating Officer evidence is not substantive. Hence the prosecution has failed to prove the charge under Section 341, 307, 323, 504, 506 R/w 34 of IPC beyond reasonable doubt.

34. After considering all other materials, I am of the view that prosecution failed to prove the charge framed against the accused for the offences punishable under Section 341, 307, 323, 504, 506 R/w 34 of IPC. No charges are proves against the accused No.1 to 5. Consequently, accused No.1 to 5 are entitled to benefit of doubt in the case on hand and entitled to acquittal from all the charges. It is relevant to note that incident dated 21.05.2024 is not proved. Hence, I am of the opinion that it is not necessary to discuss all the charges separately as the incident itself is not proved. Under the circumstances, I feel it is better to extend the benefit of doubt in favour of the accused No.1 to 5 as there is doubt in the mind of Court against the allegations made against the accused No.1 to 5 Accordingly, I answer point No.1 to 5 in the Negative.

35. **POINT NO.6:-** In view of my answer to point No.1 to 5, I conclude that the prosecution failed to prove the



charges leveled against the accused No.1 to 5 for the offences punishable under Section 341, 307, 323, 504, 506 R/w 34. Consequently, the accused No.1 to 3 are entitled to benefit of doubt and entitled to acquittal. Hence, I proceed to pass the following:-

|| O R D E R ||

The accused No.1 Puneeth S/o Narayanappa, accused No.2 Bharath @ Naveena S/o Doddegowda, accused No.3 Gowrishankara @ Gowrisha S/o Thimmaiah, accused No.4 Dileep Kumar.G S/o Govindaraju, accused No.5 Shivaraju G. @ Shiva S/o Gangadharappa are ***not found guilty*** for the offences punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code.

Acting under section 235(1) of the Criminal Procedure Code, the accused No.1 Puneeth S/o Narayanappa, accused No.2 Bharath @ Naveena S/o Doddegowda, accused No.3 Gowrishankara @ Gowrisha S/o Thimmaiah, accused No.4 Dileep Kumar.G S/o Govindaraju, accused No.5 Shivaraju G. @ Shiva S/o Gangadharappa are



herewith **acquitted** from the charges framed against them for the offences punishable under Section 341, 307, 323, 504, 506 R/w 34 of Indian Penal Code.

The bail bonds executed by the accused No.1 to 5 and their sureties is herewith stands canceled.

The bail bond and surety bonds executed by accused No.1 to 5 and their surety under Section 437-A of Cr.P.C shall be in force for a period of 6 months from this day.

The office is directed to destroy the material objects M.O-1 to M.O-5 after expiry of appeal period as it is worthless.

*(Dictated to the Stenographer, transcribed and computerized by her, Judgment revised and corrected by me, printed by the steno, and then signed and pronounced by me in the open Court on this the **23rd day of June, 2026**)*

sd/-

(SUMANGALA S BASAVANNOUR)
IV Additional District & Sessions Judge,
Tumakuru, Sitting at Madhugiri

II ANNEXURE II



LIST OF WITNESSES EXAMINED FOR PROSECUTION

PW.1	:	Govindaraju
PW.2	:	Naveenkumar.K
PW.3	:	Chikkanna
PW.4	:	Raghavendra
PW.5	:	Anil Kumar
PW.6	:	K.N.Pruthvibha
PW.7	:	Ravi.M
PW.8	:	Dr.Shanmuga Priya
PW.9	:	K.S.Swamy
PW.10	:	Ashwathanarayana
PW.11	:	Manjunatha.B
PW.12	:	Chethan Kumar.G
PW.13	:	Chandrashekhar

LIST OF DOCUMENTS EXHIBITED FOR PROSECUTION

Ex.P.1	:	First Information
Ex.P.2	:	Spot Mahazar
Ex.P.3 to 6:	:	Photographs
Ex.P.7	:	Statement of P.W.1 under Section 161 of Cr.P.C
Ex.P.8	:	Statement of P.W.2
Ex.P.9	:	Statement of P.W.3
Ex.P.10	:	Statement of P.W.4
Ex.P.11	:	Letter
Ex.P.12	:	Demand register extract
Ex.P.13	:	Site Plan
Ex.P.14	:	Wound certificate
Ex.P.15	:	Letter
Ex.P.16	:	Rough Sketch
Ex.P.17	:	Report



Ex.P.18 : FSL Report
Ex.P.19 : Sample seal
Ex.P.20 : Certificate under Section 65(B) of
Indian Evidence Act
Ex.P.21 : C.D
Ex.P.22 : First Information report

LIST OF WITNESSES EXAMINED FOR DEFENSE

-NIL-

LIST OF DOCUMENTS EXHIBITED FOR DEFENSE

-NIL-

**MATERIAL OBJECTS IDENTIFIED FOR THE
PROSECUTION**

M.O.1 : T- Shirt
M.O.2 & 3: Empty Beer bottle
M.O.4 : Blood stain Cotton
M.O.5 : Without blood stain cotton

sd/-

IV Additional District & Sessions Judge,
Tumakuru, Sitting at Madhugiri