



**IN THE COURT OF THE SENIOR CIVIL JUDGE & JMFC
TIPTUR.**

Dated this the 01st day of JULY-2026

PRESENT:

**Sri. VARADARAJ.B.,B.Sc, L.L.B., M.L.,
Senior Civil Judge & JMFC
TIPTUR.**

C.C.No.352/2024

Complainant: State by Tiptur Town Police.

(By APP.)

V/s

Accused : Prabha S/o Chandaraiah,
Aged about 46 years,
R/o.KHB Colony, 2nd Main,
Tiptur Town.

(By Sri.S.S., Advocate)

Date of occurrence of offence : 23.01.2024

Date of report of offence : 23.01.2024

Name of the complainant : Dr.Rakshit.N

Date of commencement of

Recording evidence : 16.06.2026



Date of closing of recording
of evidence : 16.06.2026

Nature of the offence : Punishable U/Sec.341,
448, 504, 506 of I.P.C. and Sec.4 of the
Karnataka Prohibition of Violence Against
Medicare Personnel and damage to property
in Medicare service institutions Act 2009.

Opinion of the Judge : Accused not found guilty.

J U D G M E N T

The Sub Inspector of Tiptur Town Police Station has submitted this charge sheet against the accused alleging that, the accused has committed the offenses punishable under section 341, 448, 504, 506 of I.P.C. and Sec.4 of the Karnataka Prohibition of Violence Against Medicare Personnel and Damage to Property in Medicare Service Institutions Act 2009.



2. The gist of the prosecution case is as follows:

That on 23.01.2024 at 09.40 pm, within the limits of Tiptur City Police Station, the accused suddenly entered the reception hall of NR Clinic, KHB Colony and stopped CW-1, who is a doctor, from treating patients. He scolded him with filthy language and he threatened to do away the life of CW-1 and prevented him from leaving the reception hall. Hence, the complainant doctor lodged the complaint against the accused and the police have registered the case against the accused for the offences punishable under section 341, 448, 504, 506 of IPC and U/sec.4 OF THE KARNATAKA PROHIBITION OF VIOLENCE AGAINST MEDICARE PERSONNEL AND DAMAGE TO PROPERTY IN MEDICARE SERVICE INSTITUTIONS ACT 2009. After lodging of the complaint by the complainant, the Tiptur Town police visited the



spot, drawn the mahazar, recorded the statements of the CW-1. After completion of the investigation the I.O. has filed the charge sheet against the accused.

3. After receiving the charge sheet, Court has taken cognizance of the offenses against the accused and has issued summons to the accused. The accused appeared before the court through his counsel and was enlarged on bail. The copies of the prosecution papers was furnished under Sec.207 of Cr.P.C. Thereafter, heard both prosecution and accused. The charge against the accused was framed for the offenses punishable under sec 341, 448, 504, 506 of I.P.C. and Sec.4 of the Karnataka Prohibition of Violence Against Medicare Personnel and Damage to Property in Medicare Service Institutions Act-2009 read over and explained to him. Accused pleaded



not guilty and claimed to be tried and hence the matter was posted for evidence of the prosecution.

4. To substantiate the case of the prosecution, the prosecution has examined 1 witness as P.W.1 and got exhibited 5 documents as Ex.P1. The complainant and injured PW-1 has turned hostile to the prosecution and has not supported the case of the prosecution. Hence, the prayer of the learned A.P.P. to summon other witnesses were dropped as no purpose will be served by examining the other witnesses and as there is no incriminating evidence against the accused, the statement of the accused under sec.313 of Cr.P.C. is dispensed with.

5. I have heard the arguments of the learned Assistant Public Prosecutor and the learned counsel for accused and perused the materials available on record.



6. The points that arise for my consideration are:

1. Whether the prosecution proves its case beyond all reasonable doubt that, on 23.01.2024 at 09.40 pm, within the limits of Tiptur City Police Station, the accused suddenly entered the reception hall of NR Clinic, KHB Colony wrongful restrained CW-1 a doctor and restrained him from treating the patients thereby accused committed offence punishable U/section 448 of I.P.C. R/w Sec.4 of the Karnataka Prohibition of Violence Against Medicare Personnel and damage to property in Medicare service institutions Act 2009?

2. Whether the prosecution further proves its case beyond all reasonable doubt that, on the above said date, time and place the accused abused CW-1 in filthy language and thereby accused committed offence punishable U/section 504 of I.P.C.?

3. Whether the prosecution further proves its case beyond all reasonable doubt that, on the above said date, time and place the accused threatened to do away the life of CW-1 and thereby accused committed offence punishable U/section 506 of I.P.C.?

4. Whether the prosecution further proves its case beyond all reasonable doubt that,



on the above said date, time and place the accused restrained the CW-1 from going outside thereby accused committed offence punishable U/section 341 of I.P.C ?

5. What order?

7. My findings on the above points are as follows:

Point No.1 to 4: In the negative.

Point No.5 : As per final order
for the following:

REASONS

8. Points No.1 to 4: Since these points are interlinked with each others and required similar type of appreciation of evidence I proceed to discuss all points together to avoid repetition. To substantiate their case, the prosecution has examined one witness as PW-1 and has got exhibited 5 documents as Ex.P1 to 5. The complainant of this case PW-1, has not supported the case of the prosecution. In fact, in his chief examination,



he has deposed that the accused was a former member of the city municipal council and he known him for a long time. He do not know anything about this case. Accused did not abuse and gave threat to his life. Further PW-1 has deposed that he has not given any complaint to the police against the accused. He has identified his signature in Ex.P1 but he depose that about years ago, one day at 9:30 pm, while he was providing treatment at the clinic, 4-5 people barged in and were complaining that the treatment was not being provided quickly. At that time, the accused was there, came in, pacified everyone and sent them away. In spite of best efforts of learned A.P.P. nothing much was elicited from his mouth to disbelieve his version. Further he has denied that because he has compromised with the accused, he is deposing falsely to help the accused.



9. In this case, the prosecution has failed to elicit anything favorable to it to prove the allegations under Sec.341, 448, 504, 506 of I.P.C and Sec.4 of the Karnataka Prohibition of Violence Against Medicare Personnel and Damage to Property in Medicare Service Institutions Act 2009. The deposition of the PW-1 clearly goes to show that he has not at all supported the prosecution case and the entire story put forth by the prosecution has been reverted by their evidence. As the material witness himself has turned hostile, the prayer of the learned APP to summons other witnesses is rejected. As there is no any incriminating evidence against the accused, the statement of the accused U/Sec.313 of Cr.P.C. is dispensed with. When these being the facts, I am of the opinion that in total the prosecution has failed to bring home the guilt of the accused beyond all



reasonable doubt. In view of the same, **I hold point No.1 to 4 in the Negative.**

10. Point No.5: In view of the above findings and discussions, I proceed to pass the following ;

ORDER

The Accused is found not guilty of the offences punishable under section 341, 448, 504, 506 of I.P.C. and Sec.4 of the Karnataka Prohibition of Violence Against Medicare Personnel and Damage to Property in Medicare Service Institutions Act 2009.

Acting under section 248(1) of Code of Criminal Procedure the accused is hereby acquitted for the offences



punishable under section 341, 448, 504, 506 of I.P.C. and Sec.4 of the Karnataka Prohibition of Violence Against Medicare Personnel and Damage to Property in Medicare Service Institutions Act 2009.

His bail bond and surety bond stands canceled.

(Dictated to the stenographer, transcribed by him, corrected and then pronounced by me in the open court on this the 01st day of July-2026.)

Sd/-

(Varadaraj .B)
Senior Civil Judge & JMFC.,
TIPTUR.

ANNEXURE

1.List of witnesses examined on behalf of prosecution:

PW.1 : Dr.Rakshit

2.List of witnesses examined on behalf of accused :

- Nil-

3.List of documents exhibited on behalf of prosecution:

Ex.P1 : Complaint



- Ex.P1(a) : Signature of PW-1
- Ex.P2 : Mahazar
- Ex.P2(a) : Signature of PW-1
- Ex.P3 : Photo
- Ex.P4 : Notice U/sec.91 of Cr.P.C.
- Ex.P4(a) : Signature of PW-1
- Ex.P5 : Notice to U/sec.91 of Cr.P.C.
- Ex.P5(a) : Signature of PW-1

4. List of documents exhibited on behalf of accused:

NIL

5. Materials marked for the prosecution:

NIL

Sd/-
Senior Civil Judge & JMFC.,
Tiptur.