



**IN THE COURT OF SENIOR CIVIL JUDGE AND
J.M.F.C., AT TIPTUR.**

Dated this the 03rd day of June 2026

PRESENT

SRI. VARADARAJ.B

B.Sc., L.L.B.M.L.,

SENIOR CIVIL JUDGE & JMFC., TIPTUR

C.C.NO.755/2024

COMPLAINANT: State by Tiptur Town Police
(State by learned APP)

V/s

ACCUSED :

Manjunath S/o Rangaswamy,
Aged about 46 years,
R/o.6th Cross, Church Colony,
Arasikere Town, Hassan District.

(By Sri.C.V., advocate)

Date of occurrence of offence : 15.07.2024

Date of report of offence : 15.07.2024

Name of the complainant : Shashikumar.C.P.

Date of commencement of



recording of evidence : 02.06.2026
Date of closing of recording
of evidence : 02.06.2026
Nature of the offence : Punishable
U/Sec.303(2) of
BNS-2023.
Opinion of the Judge : Accused not found
guilty.

JUDGMENT

The Sub Inspector of Tiptur Town Police Station has submitted this charge sheet against the accused alleging that, the accused has committed the offences punishable under section 303(2) of BNS-2023.

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

That on 15.07.2024, at about 2.30PM, the complainant of this case had come to Tiptur on his personal work and he parked his TATA Vista Car



bearing Reg.No.KA-03-MP-6355 in front of Renuka Bar and went inside, had his launch and when he came back, he detected that Rs.1,15,000/- which was kept by him in the dashboard of the car was stolen by some unknown thief. Hence, the complainant lodged the complaint to the Tiptur Town police against the unknown person. After lodging the complaint by the complainant, the Tiptur Town police visited the spot, drawn the mahazar, recorded the statements of the witnesses. During the course of the investigation accused was apprehended and he was released on bail.

3. After receiving the charge sheet, Court has taken cognizance of the offences against the accused and has issued summons to the accused. The accused appeared before the court through his



counsel and the copies of the prosecution papers were furnished under Sec.U/Sec.230 of BNSS. Thereafter heard both prosecution and accused. The charge against the accused was framed for the offences punishable under sec.303(2) of BNS, 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 3 documents as Ex.P1 to P3. The complainant 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.351 of BNSS 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 15.07.2024 at about 2.030PM, the complainant of the case had parked his TATA Vista Car bearing Reg.No.KA-03-MP-6355 in front of Renuka Bar and went inside, had his launch and when he came back he detected that a sum of Rs.1,15,000/- which was kept by him in the dash of the car was



stolen by the accused and thereby
accused committed offence
punishable U/section.303(2) of
BNS-2023?

2.What order?

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

Point No.1 : In the Negative.

Point No.2 : As per final order for the
following:

REASONS

8. **Points No.1** : To substantiate their case, the prosecution has examined one witness as PW.1 and has got exhibited 3 documents as Ex.P1 to Ex.P3. 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 he do not know the accused and CW-3. CW-2 is his father. That about 2 years ago, one day PW-1



and his father had came to Tiptur in a car for some business, and at that time, he had kept Rs.1,15,000/- on the dashboard of the car. After lunch, when he returned and opened the car and looked at the dashboard, the money was not there. Shocked by the incidence he immediately went to the police station and informed about the incidence. Later, when he came back and checked the car, he found that the money had been placed in the purse behind the seat. Due to a mistake and inadvertent belief that it had placed the money on the dashboard of the car he had filed a complaint. The police did not question him about the case. Later he went to the police station and informed them about the matter and deposited the money with the police. At that time, the police made him



to sign on several documents. They also instructed him to get the money deposited back through the court. He also deposes that he do not know anything about the accused. The police have not conducted any mahazar in his presence. He has identified his signature and on FIS and mahazar and they are marked as Ex.P1 and Ex.P2. Photo is marked as Ex.P3. 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.303(2) of BNS-2023. 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 his 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.351 of BNSS 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 in the Negative.

10. Point No.2: 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 303(2) of BNS-2023.

Acting under section 271(1) of BNSS the accused is hereby acquitted for the offences punishable under section 303(2) of BNS-2023.

The bail bonds of the accused and his surety shall stands canceled.

(Dictated to the stenographer, transcribed by him, corrected and then pronounced by me in the open court on this the 03rd day of June-2026.)

Sd/-

(Varadaraj.B)

**Senior Civil Judge & JMFC.,
Tiptur.**

ANNEXURE

1.List of witnesses examined on behalf of prosecution:

PW.1 : Shashikumar.C.P



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 PW1
Ex.P2 : Mahazar
Ex.P2(a) : Signature of PW1
Ex.P.3 : Photo

4. List of documents exhibited on behalf of accused:

NIL

5. Materials marked for the prosecution:

NIL

Sd/-

(Varadaraj.B)

Senior Civil Judge and J.M.F.C.,
Tiptur.



Judgment pronounced in open Court
(vide separate)

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