

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,
ALAPPUZHA.

Present:- **Smt. Shana Beegam, Judicial First Class Magistrate.**

Dated this, the 18th day of March, 2026

CC No. 590/23

Petitioner	:	State-represented by Sub Inspector, Alappuzha North Police Station in crime No. 400/23 [By Asst. Public Prosecutor, Alappuzha]
Accused	:	Suneer, 38/23 years, S/o Sherief, Kochingaparambil (H), Canal Ward, Kanjiramchira.P.O, Alappuzha (By Adv.Azher Ahammed)
Offence	:	U/s. 324 IPC
Plea	:	Not guilty.
Finding	:	Not guilty
Sentence	:	Accused is acquitted u/s 248(1) Cr.PC

DESCRIPTION OF THE ACCUSED

Sl. No	Name	Father's name	Calling	Residence	Taluk	Age
1.	Suneer	Sherief		Kochingaparambil (H), Canal Ward, Kanjiramchira.P.O, Alappuzha		38/23

DATE OF

Occurrence	Complaint	Apprehension	Released on bail	Commencement of trial	Close of trial	Sentence or order	Explanation for delay
12.04.23	02.05.23	20.03.23	20.03.23	03.04.25	11.03.26	18.03.26	No delay

This case having been finally heard on 11.03.26 and on 18.03.2026 the court delivered the following:-

J U D G M E N T

This case is initiated against the accused on the basis of a final report filed by

the Sub Inspector of Police, Alappuzha North Police Station in crime No. 400/24 alleging commission of offences u/s.324 IPC.

2. The prosecution case is that the accused, out of his enmity towards CW1 that he questioned the accused, on 12.04.2023 at 10.30 pm, near Palachuvadu Railway cross, the accused attacked CW1 with a beer bottle and also used a broken piece of the bottle to inflict a deep injury on his back. During the scuffle, PW1 sustained an injury to his left eyebrow. When CW2 intervened, the accused again attacked using a beer bottle, causing injuries to his body. Thus, the accused is alleged to have committed the aforementioned offences.

3. Accused appeared before this court and he was released on bail. After hearing, charge for the offences u/s. 324 IPC framed, read over and explained to the accused to which he pleaded not guilty.

4. In order to prove his case, the prosecution cited CWs 1 to CW9 and CW's 3 were examined as PWs 1 and no Ext. was marked. Even after the issuance of repeated coercive steps, the prosecution failed to produce CW1 and CW2. Steps completed. As the material witnesses examined turned hostile to the prosecution case, examination of remaining witnesses is only an abuse of the process of law and hence, the examination of remaining witnesses including official witnesses was given up by the prosecution and the evidence was closed. Since there was no incriminating evidences against the accused, examination of the accused persons u/s. 313 Cr.P.C. was dispensed with. No defence evidence was adduced. Heard both sides.

5. The points that arise for consideration are:-

1. Whether the accused, with intention to cause hurt to PW1 on 12.04.2023 at 10.30 pm, near Palachuvadu Railway cross and Voluntarily caused hurt to PW1 and PW2 as alleged ?
2. Sentence or order, if any ?

Point No. 1:-

6. PW1 the occurrence witness of the incident, deposed that he had not seen the occurrence of the incident and that he had not given any statement to the police. He declared hostile to the prosecution.

7. On going through the case records, it is seen that there is nothing on record to show that the accused herein has committed any of the offences alleged against them. PW1, the occurrence witness to the incident turned hostile to the prosecution case. Hence, examination of remaining witnesses is an abuse of the process of law and hence, their examination was given up by the prosecution. In such circumstances, I am of the opinion that the prosecution has miserably failed to prove its case against the accused. Hence, the accused is entitled to an acquittal.

8. **Point.No.2:-** Point No. 1 is found against the prosecution. The light of the findings on point No. 1, accused is found not guilty of the offences under sections 324 IPC.

In the result, accused is acquitted of the charge under section 248(1) Cr.P.C. His bail bond stands cancelled and he is set at liberty.

Dictated to the Confidential Assistant, transcribed by him, corrected and pronounced by me on this the, 18th day of March, 2026.

SD/-

**Judicial First Class Magistrate-1,
Alappuzha.**

APPENDIX**Prosecution Witnesses :-**

PW1 : Ajmal

Prosecution Exhibits:- Nil

SD/-

**Judicial First Class Magistrate-1,
Alappuzha.**