

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-II,ALAPPUZHA

Present:-Ms.Seethal.M.Sasidharan, Judicial First Class Magistrate-II

Dated this the 19th day of March, 2026/ 28th Phalguna, 1947

C.C.No. 66/23

Complainant : State Of Kerala represented by Sub
Inspector of Police, Mannancherry Police
Station in Crime No.898/22
(By Nageswary APP, JFMC-II
Alappuzha)

Accused	Anandhan, 57 years, S/o Sreedharan, Pannuveli house, Kalavoor.P.O, Mararikulam South Panchayath ward no.20 (By Adv.K.Chandra Babu)
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Offences : Punishable u/S. 354(A)(1)(i) and 447 of
IPC

Plea : Not guilty

Finding : Not guilty

Sentence or order : Accused is acquitted of the offences
punishable u/S.354(A)(1)(i) and 447 IPC
IPC, u/s 248(1) of CrPC.

Description of the accused

Name	Father's/ husband's Name	Occupation	Residence	Age
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Anandhan	Sreedharan		Pannuveli house, Kalavoor.P.O, Mararikulam South Panchayath ward no.20	57
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Dates of

Occurrence	Complaint	Appearance	Period of detention undergone during investigation, inquiry of trial for the purpose of S.428 Cr.PC	Release on bail	Commencement of trial
19.02.2022	01.02.2023	02.05.2024	-	02.05.2024	02.05.2024

Commencement of evidence	Close of trial	Sentence or order	Reason for delay
11.03.2026	17.03.2026	19.03.2026	

This case having been finally heard on 17.03.2026, the Court on 19.03.2026 delivered the following.

J U D G M E N T

1. This case is instituted upon a final report filed by the Sub Inspector of Police, Mannancherry Police Station in Crime No.898/22 against the accused alleging offences punishable u/S. 354(A)(1)(i) and 447 IPC of Indian Penal Code (hereinafter referred to as IPC, in short).
2. **Prosecution case in brief:-** The accused, owing to his animosity

towards PW1 and with the intention of causing her mental agony, on 19.02.2022 at about 11:30 hours, criminally trespassed into the compound of Pannuveli Veli House and demanded that she and her children accompany him. Subsequently, on 18.12.2022 at around 7:30 p.m., the accused again came to her house and threatened her, demanding repayment of money which she had never borrowed from him. Thus, the accused is alleged to have committed offences punishable under Sections 354A(1)(i) and 447 of the Indian Penal Code.

3. On filing of charge sheet , cognizance was taken against the accused for the offences under section 354A(1)(i) and 447 of IPC and case was taken on file against the accused as CC 66/23. Accused entered appearance on summons and he was released on bail. Copies of prosecution records were served to accused in compliance with section 207 of Code of Criminal Procedure. After hearing both sides, charge was framed for the offences u/s. 354(A)(1)(i) and 447 IPC. It was read over and explained to the accused to which he pleaded not guilty and claimed to be tried.
4. From the side of prosecution, PW1 to PW3 were examined and Ext.P1 was marked. Remaining witnesses were given up by Learned APP .As there were no incriminating circumstances against the accused, examination of accused u/S.313(1)(b) Cr.P.C was dispensed with. He denied all incriminating circumstances appearing in evidence against him. No evidence was adduced from the side of defence.
5. Heard both sides and perused the records.

6. The points that arise for consideration are:-

- (1) Did the accused on 19.02.2022 at 11.30 hours and 18.12.2022 at 7.30 pm , trespassed into the compound of PW1's house with an intention to commit offence and thereby committed offence punishable u/s 447 of IPC?
- (2) Did accused on the day ,time and place abovementioned , make any physical contact and advance involving unwelcome and explicit sexual overtures and thereby committed offence punishable u/s 354A(1)(i) IPC?
- (3) If found guilty, what is the proper sentence or order to be passed?

7. **Points No.1 and 2:-** For the sake of convenience and to avoid repetition of facts, these points are considered together. PW1 is the informant in this case. She deposed before the Court that she had lodged a complaint before the police regarding an incident in which she allegedly suffered mental agony. Although PW1 identified her signature in Ext. P1 statement, she did not adduce any evidence supporting the prosecution case. On the contrary, she deposed that the accused had never threatened her. PW2 and PW3 totally denied the case of the prosecution that they witnessed the incident. They also denied of having given any statement to police in this regard. As the principal witnesses themselves did not support the prosecution version, the learned A.P.P. gave up the examination of the remaining witnesses.

8. On an analysis of the entire prosecution evidence, there are no materials before this Court connecting the accused with the offences alleged against him. PW1 to PW3 did not adduce any evidence in support of the prosecution case. Hence, it can be concluded that the prosecution has miserably failed to prove the guilt of the accused beyond reasonable doubt. Hence, these points are found against the

prosecution.

9. **Point No.3:-** In light of the findings on point no.1 and 2, accused is found not guilty of the offences punishable u/S. 354(A)(1)(i) and 447 IPC.

In result, accused is acquitted of the abovementioned offences u/S.248(1) of Cr.P.C. His bail bond stands cancelled and he is set at liberty.

Dictated to the Confdl. Asst., typed by her, corrected by me and pronounced in open court on this 19th day of March, 2026.

Seethal .M.Sasidharan
Judicial First Class Magistrate-II

APPENDIX

A. Witnesses for prosecution:

Rank	Name	Whether Eye witness, Police witness, Expert witness, Medical witness, other witness
PW1	Sanjusha	other witness
PW2	Raju	other witness
PW3	Kamalasanan	other witness

B. Defence Witness:- Nil

C.Court Witness:- Nil

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS

A. prosecution Exhibits :-

Sl. No.	Exhibit Number	Description
1.	P1/PW1	First Information Statement dated 20.12.2022 proved

		on 07.01.2026
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B. Defence Exhibits:- Nil

C.Court Exhibits:- Nil

D.Material Objects:-Nil

Judicial First Class Magistrate-II,
Alappuzha