

IN THE COURT OF JUDICIAL MAGISTRATE OF FIRST CLASS – I, MAVELIKARA
PRESENT: - Smt. Soorya S. Sukumaran

Judicial 1st Class Magistrate

Dated this the Wednesday, 10th day of June 2026/ 20th Jyeshtha 1948

CC. No.21/2026

Complainant : State represented by Sub Inspector of
Police Mavelikara Police Station
in Cr.No.832/2025
(By Assistant Public Prosecutor-I,
Mavelikara)

Accused : Aneez, aged 39,
S/o. Muhammed, Chennankulathinkal
House, Punnapala Amsam, Palakkode,
Malappuam (now residing at House no.
03/19, Padda House, Kalasenkian,
Kappothala, Punjab State)
(By Adv.Sarun.K.Idicula
Legal Aid Defence Counsel)

Offence : u/s. 318 (4) of BNS.

Plea : Guilty.

Finding : Guilty.

Sentence/Order : The accused is sentenced to simple
imprisonment for 9 months and fine of Rs.5,000/- (Rupees Five
Thousand Only) u/s 318 of IPC. In default of payment of fine the
accused shall undergo simple imprisonment for a period of one
month. He is entitled to set off for the period which he already
undergone as under trial prisoner from 03.11.2023 till
10.06.2026.

Dates of

Offence	Complaint	Apprehension/ appearance	Release on bail
11.08.2025	27.08.2025	25.11.2025	Judicial custody
Commencement of Trial	Commencement of evidence	Close of trial	Sentence or order
10.06.2026	10.06.2026	10.06.2026	10.06.2026
Period of detention undergone during investigation , inquiry or trial for the purpose of Sec. 428 Cr.PC.			
From 25.11.2025 to 10.06.2026 (custody)			

This case coming up on for today's proceedings and the court delivered the following:-

J U D G M E N T

The accused is prosecuted by State represented by the Sub Inspector of Police, Mavelikara Police Station in Crime No.832/2025 alleging commission of offence punishable under section 318 (4) of BNS.

2. The case in the final report in brief is as follows:- The accused, with fraudulent intent, deceived CW1 by promising employment in Europe as a hotel maintenance plumping worker. He induced CW1 to pay Rs.50,000/- as advance for visa processing and related expenses. On 11.08.2025, since CW1 did not have Google Pay, the amount was transferred through Manish Kumar, who runs a computer center near Thazhakkara Panchayat Office, into the account number 264401000006079. After receiving the money, the accused neither arranged the

promised job nor refunded the amount. Thus the accused is alleged to have committed the aforesaid offence.

3. CW8 the civil police officer of Mavelikara Police station recorded the first information statement of CW1. On the basis of that statement CW9, the sub inspector registered this case as crime no. 832/2025 by preparing the FIR. CW10 conducted the investigation of this case and submitted final report against the accused.

4. The court took cognizance of the offence u/s 318 (4) of BNS and process was issued. After hearing both sides and perusing the records, charge was framed against the accused u/s 263(1) of BNSS for the offence punishable u/s. 318 (4) of BNS. The charge was read over and explained to him u/s 263(2) of BNSS to which he pleaded guilty.

5. The accused is given sufficient time to think upon his decision and when the case is taken on later, he adhered in his stand. Since the accused voluntarily pleaded guilty after properly understanding the charge, the same is accepted. The accused is convicted u/s 246 of BNSS for the offence punishable u/s. 318 (4) of BNS. The accused is in judicial custody from the date of his remand that is on 25.11.2025.

Sd/-
Judicial Magistrate of the I Class-I,
Mavelikara.

6. The accused is heard on the question of sentence. The accused and his counsel pleaded for taking a lenient view and to allow set off for the period he undergone in custody. Considering the facts and circumstances of the case, this Court is of the view that this is not a fit case to invoke the benevolent provisions of Probation of Offenders Act.

7. Hence the accused is convicted and sentenced to simple imprisonment for 9 months and fine of Rs.5,000/- (Rupees Five Thousand Only) u/s 318 of IPC. In default of payment of fine the accused shall undergo simple imprisonment for a period of one month. He is entitled to set off for the period which he already undergone as under trial prisoner from 25.11.2025 till 10.06.2026.

(Pronounced me in open Court on this the 10th day of June 2026)

**Sd/-
Judicial Magistrate of the I Class-I,
Mavelikara**

//True Copy//

**Judicial Magistrate of the I Class-I,
Mavelikara**