



**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-II,
Haripad.**

Present:- Smt. Maneesha.K. Bhadran, Judicial I Class
Magistrate-II

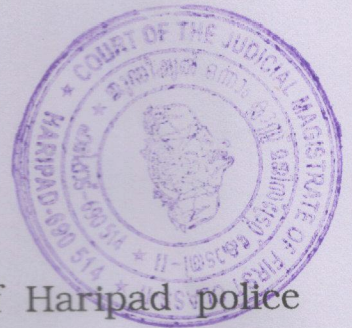
Wednesday the 22nd day of April, 2026

CC.187/25

Complainant	: State represented by the Sub Inspector of Police, Haripad Police Station in Crime No.150/25. (By Assistant Public Prosecutor Senior Grade I)
Accused	: Adhithyan, aged 32, S/o. Prasannan, Nedumpochayil, Ward No.15, Thamallackal South Muri, Kumarapuram Panchayath Kumarapuram Village. (In custody) (By defense legal-aid counsel Adv. Devika. S.)
Offence	: Punishable u/ss. 77, 331(4) of BNS and 66 E of IT Act.
Plea	: Guilty.
Finding	: Guilty.
Sentence/ Order	: Accused is convicted and sentenced to undergo simple imprisonment for a period of one year and six months each for the offences punishable u/ss. 77, 331(4) of BNS and 66 E of IT Act. Accused is also sentenced to a fine of ₹.1000/- each for offence u/ss. 77 and 331(4) of BNS in default of payment of fine he shall undergo simple imprisonment for a further period of 10 days each. Substantive sentence of imprisonment shall run concurrently. Set off is allowed for the detention from 15.02.25 onwards.

This case having been finally heard today, the court delivered the following:-

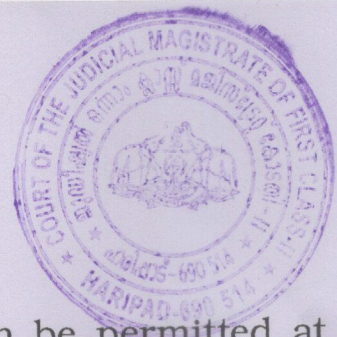
J U D G M E N T



1. Accused stands charged in Crime No.150/25 of Haripad police Station alleging commission of offences punishable u/ss. 77, 331(4) of BNS and 66 E of IT Act.

The prosecution case is that:- On 11.02.2025 at 4.30 a.m., accused trespassed into the house of defacto complainant by name Thottukadavil House, Thamallackal Muri, while defacto complainant was bathing in the bathroom. He captured the private act of defacto complainant in his mobile phone intruding upon her privacy against her consent. Thus, the accused committed offences punishable u/ss. 77, 331(4) of BNS and 66 E of IT Act.

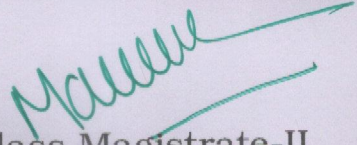
2. Accused is in judicial custody since 15.02.25 and is represented by legal aid counsel. On production of accused, copies of relevant prosecution records were served to him. After hearing both sides and upon perusing the records charge u/ss. 77, 331(4) of BNS and 66 E of IT Act was framed, read over and explained to the accused. He pleaded not guilty of the said offences.
3. On 20.4.26, the learned counsel for the accused filed an application stating that while the charge was framed the same was not properly read over and explained to the accused and his plea was recorded correctly. So, charge may again be read over and explained to accused give him an opportunity to plead guilty. The petition was allowed and the charge was read over to the accused. He pleaded guilty to offences u/ss. 77, 331(4) of BNS and 66 E of IT Act.
4. As held by the Hon'ble High Court of Kerala **Santhosh v. State of Kerala 2003(1) KLT 795 and Shyni Moolayil and Anr vs.**



Kerala 2015(3) KHC 179 the accused can be permitted at any stage to plead guilty.

5. I am satisfied that the plea is voluntary and after fully understanding the consequences, and it is accepted. Hence the accused is found guilty of offences punishable u/ss. 77, 331(4) of BNS and 66 E of IT Act, u/s. 264 of BNSS. Considering the facts and circumstances of the case, I am satisfied that this is not a fit case to invoke the provisions of Probation of Offenders Act.

Typed by me in my personal computer and pronounced by me in open court this the 22nd day of April, 2026.


Judicial I Class Magistrate-II,
Haripad.

The accused is heard on sentence. He pleaded for the mercy of court. Accused is convicted and sentenced to undergo simple imprisonment for a period of one year and six months each for the offences punishable u/ss. 77, 331(4) of BNS and 66 E of IT Act. Accused is also sentenced to a fine of ₹.1000/- each for offence u/s. 77 and 331(4) of BNS in default of payment of fine he shall undergo simple imprisonment for a further period of 10 days each. Substantive sentence of imprisonment shall run concurrently. Set off is allowed for the period in detention from 15.02.25 onwards.

Typed by me in my personal computer and pronounced by me in open

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court this the 22nd day of April, 2026.

Mallu

Judicial I Class Magistrate-II,
Haripad.

APPENDIX :-Nil

