



**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE -
I, KAYAMKULAM**

Present: Smt. Aiswaryarani, Judicial First Class Magistrate
Dated this the 30th day of April, 2026.

CC. No. 341/2021

- Complainant : State represented by Sub Inspector of Police, Kayamkulam Police Station in Crime No. 2993/2018. (By Sri. Arun P, APP Sr. Grade, Kayamkulam)
- Accused : Santhosh Kumar, Aged 30/18, S/o. Raveendran, Krishnavilasam, Valiyakulangara, Cheppad (By Adv. Rajath R)
- Offences : U/ss. 354D and 506 part 1 of Indian Penal Code, 1860.
- Plea : Not guilty.
- Finding : Not guilty.
- Sentence or Order : Accused is found not guilty of the offences punishable u/ss.354(b) and 506(i) of Indian Penal Code, 1860 and he is acquitted of the said charges as provided u/s 248(1) of Cr.P.C.

DESCRIPTION OF THE ACCUSED

Sl. No.	Name of Police Station	Name of accused	Father's/Hushand's Name	Occupation	Residence	Age
1	Kayamkulam	Santhosh Kumar	Raveendran		Cheppad	30

DATE OF

Occurrence	Complaint	Apprehension	Release on bail	Commencement of trial	Close of Trial	Sentence or order
01.09.16	21.11.18	14.10.25	14.10.25	14.10.25	30.04.26	30.04.26

The case having been finally heard on 30.04.26 the court on 30.01.26 delivered the following:-

J U D G M E N T

The Sub Inspector of Police, Kaymakulam Police Station, filed the charge sheet against the accused for the offences punishable under Sections 354D and 506 part 1 of Indian Penal Code, 1860.

2. Prosecution case, in brief, is as follows:- The accused, during the period from 01.01.2016 to 20.11.2018, at the road situated in front of Komalath House on Koyippally Kara Road in Peringala Village, repeatedly followed and harassed the CW1. The accused intentionally disrupted the marriage proposals received by the CW1, spread defamatory allegations about her, and criminally intimidated her by threatening to kill her if she did not agree to live together with the accused. Thus, the accused has committed the offences punishable under the aforesaid sections.

3. On filing the Final Report, the case was taken on file and summons was issued to the accused pursuant to which he appeared before the Court. He was enlarged on bail. Copies of the prosecution records were furnished to the accused. After hearing, charge under Sections 354D and 506 part 1 of Indian Penal Code, 1860 was read over and explained to the accused in Malayalam,

4. From the side of the prosecution, witnesses PW1 and PW2 were examined and no document were tendered in evidence and marked. Coercive steps were taken to procure the presence of CW1

but prosecution failed to procure his attendance. Hence CW1 was not examined. The learned Assistant Public Prosecutor gave up CW4 to CW6 as their evidence would not improve prosecution case.

5. After the prosecution witnesses were examined, since no circumstances appeared against the accused, the examination of the accused under Section 313(1)(b) of the Code of Criminal Procedure, 1973 was dispensed with. The accused was called upon to enter their defence. No oral or documentary evidence was adduced from the side of the defence.

6. Heard both sides and analysed the records.

7. The following points arise for consideration:-

1. *Whether the accused along with two others in furtherance of their common intention criminally intimidated CW1 between 1.01.2016 to 20.11.2018?*

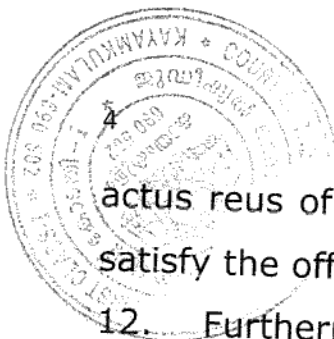
2. *Whether the accused stalked CW1 between 1.01.2016 to 20.11.2018?*

3. *What is the order or sentence if found guilty and convicted?*

8. **Point Nos. 1 and 2:** For the sake of convenience and brevity and to avoid repetition of facts, these points are considered together.

9. PW1 and PW2 deposed that they do not know about the incident in this case and that they have not given any statement to the police. Coercive steps were taken to procure the presence of CW1. However, prosecution could not procure their attendance. Hence CW1 was not examined to avoid undue hardship to the accused. The learned Assistant Public Prosecutor gave up CW4 to CW6 as their evidence would not improve the prosecution case.

11. The witness examined by the prosecution did not support the prosecution's version. Resultantly, the facts necessary to prove the



actus reus of the accused are not brought forth. The ingredients to satisfy the offences in question are not proved.

12. Furthermore, it is seen that there is nothing on record to show either the involvement or complicity of the accused in the alleged crime. There is nothing on evidence to inculcate the accused. The involvement or the complicity of the accused in the alleged crime is also not proved. Therefore, the prosecution has not proved that accused committed the offences punishable under Sections 354D, 506(i) of Indian Penal Code, 1860.

13. **Point No. 2:-** In the light of the findings in point number 1 and 2, the accused is found not guilty of the offences punishable under Sections 354D, 506(i) of Indian Penal Code, 1860.

14. In the result, the accused is hereby acquitted of the said offences under Section 248(1) of the Code of Criminal Procedure, 1973. He is set at liberty and his sureties are discharged

(Dictated to the Confidential Assistant, typed by her in the office computer, corrected and pronounced by me in the open Court on 30th day of April 2026).

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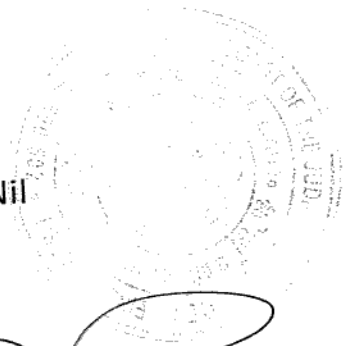
APPENDIX

WITNESSES EXAMINED FOR PROSECUTION:-

Prosecution Witness No.	Name Of Witness	Description
PW1	Laila	Occurrence witness
PW2	Sarasamma	Occurrence witness

EXHIBITS MARKED FOR PROSECUTION:- Nil

WITNESSES AND EXHIBITS FOR DEFENCE: - Nil



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